



USAID
FROM THE AMERICAN PEOPLE

JORDAN RULE OF LAW PROGRAM

**15TH QUARTERLY REPORT
APRIL – JUNE 2012**

This publication was produced for review by the United States Agency for International Development (USAID) and prepared by Tetra Tech DPK, A Division of Tetra Tech ARD.

ACRONYMS

ACJLS	Arab Center for Judicial and Legal Studies
AU	Administrative Units
CAP	Court Administrators Program
CBO	Community Based Organization
CFPJ	Journalist Protection Center
CSP	Civil Society Program
CSS	Client Support Specialist
DMS	Document Management System
FI	First Instance Court
FJP	Future Judges Program
FTS	File Tracking System
ITD	Information Technology Development
JC	Judicial Council
JIJ	Judicial Institute of Jordan
JOB	Jordanian Ombudsman Bureau
LOB	Legislation and Opinion Bureau
MIZAN	Automated case file management system tailor-made for Jordan courts and supporting departments. MIZAN V2 is the enhanced automated version of MIZAN V1; it will replace MIZAN V1 in all national courts of Jordan.
MOJ	Ministry of Justice
ROLP	Rule of Law Project
SOP	Standard Operating Procedures
TO	Cassation Court Technical Office
VPN	Virtual Private Network

INDEX

EXECUTIVE SUMMARY.....	4
OBJECTIVE 1: PROMOTE AN INDEPENDENT AND EMPOWERED JUDICIARY WHILE INCREASING ITS TRANSPARENCY AND ACCOUNTABILITY	5
OBJECTIVE 2: EXPAND ACCESS TO JUSTICE, RULE OF LAW AND PUBLIC AWARENESS OF THE RULE OF LAW.....	8
OBJECTIVE 3: ENHANCE JUDICIAL PERFORMANCE TO REDUCE DELAYS AND INCREASE PUBLIC CONFIDENCE.....	9
WINDOWS OF OPPORTUNITY.....	12
PLANNING, MONITORING AND REPORTING.....	14
APPENDIX (ATTACHMENTS)	

EXECUTIVE SUMMARY

On Tuesday May 15, 2012, His Majesty King Abdullah II named The Honorable Hisham Al-Tal Jordan's new Chief Justice and President of the Judicial Council. Due to the naming of the new Chief Justice, certain activities were put "on hold" pending further developments and instructions from the Judicial Council and USAID. Chief Justice Tal had previously served as a Minister of Justice and a member of the Cassation Court. In His Majesty's letter of appointment, the King specifically noted his continued support of the recently adopted *Judicial Strategy 2012-2014*.¹ Chief Justice Tal is to follow this strategy which has been in place since earlier this year. Upon meeting with Justice Al Tal, USAID and ROLP were requested to move forward with ongoing work plan activities.

The Pilot Programs for the Improvement of Criminal and Civil Execution of Judgments at Zarqa and West Amman Courts were launched in May and are proceeding according to schedule. The ROLP assessment and study group prepared the first draft of a written report with findings and recommendations resulting from their studies of the execution departments at the Zarqa and West Amman courts. A presentation of gap analysis results, including identified weaknesses and opportunities for improvement, will be presented in a final report which will be delivered to the Chief Justice in early July after it has been reviewed by relevant stakeholders and the Judicial Council's Administrative Units. Additionally, a draft implementation plan with recommendations and proposed next steps for improving the departments' performance is being prepared and will soon be ready for discussion and final approval. The recommendations will be in a work plan format.

Following last year's constitutional amendments, legislation was passed in early June by both houses of Parliament for the establishment of a Constitutional Court. ROLP is awaiting a Royal Decree from the Royal Court. The Royal Decree has been issued and publication in the Official Gazette. The Court is to be launched in October 2012. If requested, ROLP is prepared to support the establishment of the Constitutional Court.

ROLP staff have met on a number of occasions with the Prosecutor General and the four Attorneys General on both individual and group basis. The most recent meeting held on June 13 was a plenary session of the entire Prosecution Leadership at the Palace of Justice. A consensus has emerged from these meetings regarding specific steps to improve the Prosecution Service of Jordan including legislation, training, and some structural improvements. At a follow-up meeting with the Chief Justice on June 26, the Prosecutor General, joined by ROLP COP and DCOP, discussed priorities for prosecution strengthening. Among the key areas covered were improving the execution of judgments, further training, and legislative efforts, all of which will be addressed by inclusive study

¹ An English Version was attached to the previous ROLP Quarterly Report #14. English Version Hard Copies are also available.

groups and workshops in the near future.

ROLP has been proactive in hosting and coordinating efforts with other international donors involved in the criminal justice sector. In this way, the various project leaders share their respective current and projected activities in order to facilitate cooperation, communication, coordination, assure consistency, and avoid duplication of efforts.

OBJECTIVE 1: PROMOTE AN INDEPENDENT AND EMPOWERED JUDICIARY WHILE INCREASING ITS TRANSPARENCY AND ACCOUNTABILITY

Develop Capacity in Judicial Council

On Tuesday, May 15, His Majesty King Abdullah II named The Honorable Hisham Al-Tal as Jordan's new Chief Justice and President of the Judicial Council. Justice Tal has previously served as Minister of Justice and as a member of the Cassation Court. In the King's letter of appointment, His Majesty specifically reiterated his continued support of the recently adopted *Judicial Authority Strategy 2012-2014*. Justice Tal will follow this strategy which has been in place since earlier this year. Due to the naming of the new Chief Justice, certain activities were put "on hold" pending further developments and instructions from the JC and USAID. On May 31, USAID's COR and ROLP's COP and DCOP met with Justice Tal at which time he requested ROLP move forward with its ongoing work plan activities.

Judicial Council Annual Report

Pursuant to the project work and in coordination with the office of the Chief Justice, ROLP supported the Administrative Units (AU) in drafting the *2011 Judicial Council Annual Report*. The report has been prepared, printed and distributed and a version has recently been translated into English.² The *Annual Report* was structured on the six pillars as outlined in the *Judicial Authority Strategy 2012-2014*. In addition to highlighting 2011 judicial achievements, the report was carefully prepared to provide a summary of activities to include a full statistical analysis of courts' workload and projections, an analysis of caseloads, projects, and programs for the coming year. In order to maintain sustainability and build the capacity of the Administrative Units, ROLP created and tested an automated database system for the AU to provide a user-friendly tool for generating accurate court statistics for future judicial council annual reports. In-house training will begin in July.

² See Attachment in Appendix.

Communication and Media Department

With the help and coordination of ROLP, the AU Media staff developed and finalized the JC website. During the week of June 18, a presentation was made to the new Chief Justice and the website was approved. It will be officially launched on July 1. Close coordination is being conducted to insure capacity building to maintain the best use of the website. The production of the second issue of the JC newsletter is ongoing. The issue will be placed on the new JC website instead of being printed.

ROLP is in the process of finalizing the activities that the Center for the Protection of Journalists (CFPJ) will provide for the Media Department of the JC. As will be described more fully below in the Objective 2 - "Grants" section of this Report, starting in July, this activity will work with the JC and judges to develop specific policies and protocols in dealing with the media and in its outreach to the public. This activity will aim to fulfill the objectives of *Pillar 5* of the *Judicial Authority Strategy 2012-2014*.

Strategic Planning Unit

As noted above, the *Judicial Authority Strategy 2012-2014*, officially endorsed by His Majesty King Abdullah II, was translated into English, printed and distributed to donors and to the Administrative Units.

Operational plans for 2012 were developed, concluded and submitted to the Chief Justice. The plans are consistent with the pillars of the Strategic Plan and include a timeline for implementation.

Training and Specialization Unit

The AU Training and Specialization Unit, with the aid of ROLP, developed an annual continual training plan for the Judiciary. This training plan was initially approved by the former Chief Justice in March and sent to the JIJ and MOJ to secure further approval and to begin implementation. At the request of Chief Justice Tal, further training is to be delivered, including sessions on Investigative Skills for Prosecutors and specialized courses on topics such as Family Violence, Money Laundering, Human Trafficking, Anti-Terrorism, and Anti-Corruption. The training sessions will be coordinated with the European Union and other donor projects interested in providing prosecution training support as well coordination with the AU and JIJ.

AU Human Resources – Judges Affairs Unit (JAU)

ROLP's IT staff are supporting the JC Human Resources IT system and assuring that the system matches JC business requirements.

Legislation

Consistent with the Judicial Authority Strategy and His Majesty's directive to the judiciary to guarantee speedy trials and reduce the case delay, a workshop was conducted on April 21-22 for criminal judges of the North and Central Courts in the Kingdom.³ Judges and prosecutors from the southern courts conducted a similar workshop in Aqaba in March. Trial judges and prosecutors from the various levels of trial courts (Felony, Misdemeanor and Criminal Conciliation) attended as well as Attorney Generals from Amman, Zarqa and Irbid. The goal of the workshop was to discuss and provide inputs to the proposed amendments to the Criminal Procedures Law, and in particular, those related to alternative sentencing.

Judge Nashat, head of the Specialization and Training Unit, facilitated the session. Attendees contributed to the workshop by preparing presentations with alternative sentencing solutions implemented in regional and international countries and discussing their practicality in Jordan. The ROLP COP presented an overview of sentencing alternatives utilized in jurisdictions in the US and answered questions during the course of the workshop. Various types of alternative sentencing were discussed. The ideas and inputs to the proposed amendments will be delivered, through the General Secretariat, to the JC for inclusion in the final draft of the legislation. The European Union funded Support to Criminal Justice Reform Project has indicated their interest in the area of alternatives to incarceration. At ROLP's invitation, representatives of the EU-SCJR attended the workshops and joined in the discussion.

On June 26, at a meeting with the Prosecutor General and the ROLP COP and DCOP, Chief Justice Tal indicated his intent to set up committees and study groups this summer to assess and recommend legislative changes for the next regular session of Parliament.

Technical Assistance to Government

ROLP, along with consultant Qasem Abdo, have been continuing to provide technical assistance to the government in drafting laws which are being referred to the Parliament. Technical assistance was also provided to develop 20 new bylaws and regulation/legal memos upon request. As noted below, ROLP provided expert assistance to the government in the drafting the Constitutional Court Law during the previous Quarter.

Constitutional Court Support

The Constitutional Court is mandated by a recent constitutional amendment. His Majesty has a keen interest in the formation of a Constitutional Court to become the backbone of national political reform in Jordan. In light of this, parliamentarians and Legal Affairs Committee members have been

³ Workshop Report attached in Appendix.

discussing the formation of a Constitutional Court since January. The legislation was passed in early June by both Houses for the official establishment of a Constitutional Court. The Royal Decree was issued several days later as well as the required publication in the Official Gazette. Under the law, implementation is required within 120 days of publication in the Official Gazette. This means the Constitutional Court is to be implemented in October 2012. At the Government's request, ROLP is prepared to support implementation of the Constitutional Court.

Judicial Studies Diploma Program

Assisting the MOJ to encourage the best and brightest students to study law and select a career path to become judges, ROLP continues to provide significant logistical and administrative support to the Judicial Institute Judicial Studies Diploma Program.

Future Judges Program (FJP)

The FJP Unit helps to select and train future judges who embrace the ideals of judicial integrity, independence, and accountability.

This past quarter, the FJP Unit continued to manage and administer the affairs of the program students and provide them with all needed assistance through ROLP academic advisors and support staff. All FJP students are enrolled in either English or French language classes and participate in field visits to ministries, civil society organizations, the stock market, banks, and hospitals, in order to understand how such institutions operate. The total number of FJP students reached 188; 107 are female and 18 were enrolled in the Judicial Studies Diploma Program at JIJ and completed their Masters degrees in the US or UK.

In His Majesty King Abdullah II's letter to the Chief Justice on September 29, published in all media outlets, he stressed the importance of the FJP and its vital role of providing the Judiciary with well-trained and competent judges.

OBJECTIVE 2: EXPAND ACCESS TO JUSTICE, RULE OF LAW AND PUBLIC AWARENESS OF THE RULE OF LAW

Grants

In line with ROLP's objective of expanding access to justice and public awareness of the rule of law as well as building the competencies of the administrative units of the JC, an area of opportunity was identified for helping the Administrative Units Communication and Media Department implement the Judicial Strategy.

In April, the Journalist Protection Center (CFPJ) presented a concept paper for ROLP the focus of which would be guided by the Pillar 5 goals and objective #4 (*Activate and Develop Relations with*

the Media) set forth in the *Judicial Authority Strategy 2012-2014*. Among their activities will be the creation of a press office and established regulations and training for judges and journalists alike. The Journalist Protection Center was named in the original Technical Proposal for ROLP's two option years. On June 18, the CFPJ met with ROLP to discuss their final proposal. Minor amendments were requested such as inclusion of Gender Equality in workshops, (whereby 30% of workshops would include women), and explicit recognition that the Communications and Media Department will need to address the media relations from the differing perspectives of trial judges, prosecutors, and appellate rulings. Once ROLP receives the revised proposal, it shall be forwarded to the Home Office for approval. Final contracting and activity start-up will occur in early July.

OBJECTIVE 3: ENHANCE JUDICIAL PERFORMANCE TO REDUCE DELAYS AND INCREASE PUBLIC CONFIDENCE

Technical Office (TO) of the Cassation Court

Upon agreement from the new Chief Justice Tal, Technical Office judges met in June to begin planning production of a Cassation Court Judgments Publication. Judges will propose their ideas and suggestions for this publication. ROLP will research similar regional experiences to provide models. In addition, a needs assessment is in-process to evaluate the feasibility of this activity.

Amman Court of Appeal Technical Office

At the request of the Chief Justice, a meeting with the Chief Judge of the Court of Appeal in Amman was conducted in April to discuss the viability of creating a Technical Office for that court which is burdened by case delay and increased backlog. The ROLP assistance in setting up the successful TO for the Cassation Court is serving as a model for possibly moving forward with a TO for the Court of Appeal. ROLP is exploring this possibility. Moving forward with this effort will require a commitment of resources from the government.

Court Automation

MIZAN Enhancements Project

After a competitive selection process, *Optimiza* was awarded the contract for the MIZAN 2 Enhancements and Upgrades project. During the selection process, conferences on the MIZAN software and plans for its enhancement were hosted for six potential vendors competing for the consultancy contract to clarify the expectations of vendors so as to obtain bids from multiple quality vendors. *Optimiza* has been working on MIZAN since its inception. This new contract began in June and involves resolving approximately 200 MIZAN enhancements/bugs and adding functionalities which will ultimately make MIZAN a more user-friendly system. The project is set to be completed

in November. The first Optional Task Order (OTO) has been approved and the upgrade work is about to start.

In June, a committee was formed with MOJ and ROLP staff to analyze and prioritize the enhancements proposed by the MOJ. The committee met with *Optimiza* to develop an execution plan and establish time frames needed. In preparation for the second OTO, the committee will review and prioritize additional MIZAN enhancements.

In this phase of the project, the IT component is primarily involved with troubleshooting, maintenance and the successful knowledge transfer of technology to the Ministry.

In April, the courts of Azraq, Ruwaished and Jaffer were integrated to the Ministry's central data center, eliminating their stand-alone IT systems.

ROLP IT staff installed and configured MIZAN on the Disaster Recover Data Center location in May. The work was performed jointly by MOJ IT and ROLP IT staff as a step to transfer knowledge and allow the MOJ to gain experience on the MIZAN application.

Web Portal

The web portal on the MOJ website (described in the previous Quarterly Report #14) continues to provide the public with access to court case activity.

The average daily number of inquiries for the web portal was measured via Google Analytics from December 2011- March 2012. However, this measure of usage did not appropriately reflect the actual requests made via the web portal; it calculated the inquiry on the web portal based on the session. For example, if an attorney logged into the system once to see the status of eight different cases, his/her inquiries would be counted as only one according to Google Analytics, whereas MIZAN would count each case as its own inquiry. Going forward, ROLP has decided to use the MIZAN web portal for a more accurate reflection of usage.

Prosecution Activities

In April, ROLP's prosecution consultant's report, *Enhancing the Public Prosecution in Jordan: Supporting A Force for Good in Difficult Times (March 2012)* was translated into Arabic and provided to the Chief Justice and the Prosecutor General for inputs, modification and final approval before being given to donors and the prosecution leadership. It was distributed to donors and to Jordan's four Attorneys General for their consideration in May.

On June 13, at ROLP's request, there was a meeting of Jordan's Prosecution Leadership. In attendance were Jordan's Prosecutor General and four Attorneys General and ROLP staff including the COP. The purpose of this meeting was to review the above noted consultant's report⁴ and to assemble a proposed action plan to bring to the Chief Justice and the Judicial Council. The productive meeting lasted several hours. Key areas addressed included legislation, training, and improving the execution of judgments.⁵ As a follow-up to the meeting, the Prosecutor General, joined by ROLP staff including the COP and DCOP, met with the Chief Justice on June 26. The report of the Prosecution Leadership Meeting of June 13 was discussed. The Chief Justice expressed his appreciation for the work of the project as it relates to the prosecutors. He indicated that a priority item was improving the execution of judgments, particularly criminal judgments. He noted that he would be assembling a committee to discuss legislative initiatives for the next regular session of Parliament. He also supported our planned training efforts in the areas of financial crimes, human trafficking, as well as further sessions on Investigative Skills. Finally, the Chief Justice was assured of donor coordination in general and in particular concerning prosecution related activity.

A three-day training for experienced prosecutors was held from June 19-21. This training focused on investigative skills and was presented in a "train-the-trainer" format for a select group of experienced prosecutors. The training was led by ROLP's COP. Dr. Ghazi Thuneibat, an Amman-based attorney with extensive criminal investigative experience and a forensic background, was brought in as a local consultant and provided a lecture on crime scene management as a supplement to these sessions.⁶

Execution of Judgments - Civil and Criminal

Pursuant to the ROLP Work Plan for Y4 and consistent with Judicial Strategy objectives, the former Chief Justice Mohammed Al Mahameed agreed with ROLP to begin a pilot project to improve the Execution of Civil and Criminal Judgments. As noted above, Chief Justice Tal has designated the improvement of execution of criminal judgments as a priority effort. The pilot program involves the Zarqa and West Amman Courts and Public Prosecution offices and was designed to take place during May and June and culminate in a final report with recommendations to be presented to the Chief Justice in early July. Accordingly, on April 25, ROLP staff met with relevant authorities in both courts to explain the pilot project and identify contact persons. This project will build upon previous work conducted by the program. ROLP coordinated the logistics with the Administrative Units,

⁴ A copy of which is an attachment to the QR #14,

⁵ A *Briefing Note* and a translation of the minutes of the June 13 Prosecution Leadership meeting are attached.

⁶ Materials pertaining to the training are attached. These include: (1) Memorandum – Investigative Skills Training Development - Course development and approach (provided to the trainees, the Prosecutor General, the four Attorneys General; (2) Training Agenda; (3) List of Attendees; (4) Lecture Outline on Building the Case for Felony Indictments and Power Point slides; (5) Outline on Remarks on Recurring Issues and Power Point; and (6) Evaluation. The training materials were provided in Arabic versions to the attendees.

Chief Judge, Chief Prosecutor and execution units of the respective courts. Mr. Mohammad Amawi, a short-term business process reengineering expert, was engaged by ROLP as a consultant for this activity. He has helped ROLP staff analyze both types of executions and continues to work with ROLP staff and court personnel to improve effectiveness in the execution process.

During May ROLP personnel, along with court and prosecution counterparts, conducted: (1) a legal analysis (legal and regulatory framework governing executions); (2) an institutional analysis (human resources, infrastructure, technology, and systems); and (3) an operational analysis. Based on the results of this three-part analysis, the team will recommend improvements to the Execution Departments and develop a detailed final report specifying a list of reforms needed, specifically, the reform objective, results to be attained, scope of work, and an implementation schedule.

By late June, ROLP had prepared two initial drafts of its report with findings and recommendations from their studies. A presentation of gap analysis results, including identified weaknesses and opportunities for improvement, will be ready to be delivered to the Chief Justice in July after discussing it with relevant stakeholders and the Administrative Units. Additionally, a draft implementation plan with recommendations for improving the departments' performance and next steps in a work plan format is being prepared for discussion and final approval.

In addition, four field legal assistants were recruited by ROLP to help perform the following tasks for the Execution of Judgments Pilot Project: (1) Data Entry on MIZAN; (2) Purging of cases (active and inactive cases); (3) Perform case inventory; (4) File active cases; and (5) and store old and disposed cases. The IT and legal teams will begin training the new staff in early July on the New Palace of Justice computers. Ahmad Badawi, a ROLP CSS, led a two week training for ROLP legal assistants on 19 June for the Civil Execution System and prepared them for its impending rollout. Finally, four new computers were purchased for ROLP staff use which will be placed at the Zarqa court.

OBJECTIVE 4: WINDOWS OF OPPORTUNITY

Donor Coordination

In coordination with USAID, ROLP continued working throughout the quarter to plan specific activities and technical approaches to implement new activities and maximize current windows of opportunity to support justice sector reform. There continues to be a need for fundamental policy and structural reforms to institutionalize the independence, accountability, integrity, competence, and fairness of the judicial system. The issues of greatest concern in Jordan's legal system include: the

lack of institutional independence and accountability; inadequate institutional capacity and competence; and insufficient access to timely and nondiscriminatory justice, including a lack of affordable legal representation. Other donors have become involved in justice sector assistance and accordingly, coordination is crucial to achieving maximum benefit.

ROLP's COP and DCOP have regularly met with Mr. Ian Lankshear, project director of the EU funded Supporting Criminal Justice Reform In Jordan project, and his justice expert, Mr. Jim Fitzpatrick. The EU project has prepared a work plan for a criminal justice reform which includes the following pillars: The project is focused on: (1) Prosecution enhancement; (2) shifting responsibility of the Penitentiary system to a corrections service under the auspices of the ministry of Justice; (3) Alternatives to Incarceration; (4) Access to Justice; and (5) supporting a cross ministry broad based committee to direct criminal justice strategy. To avoid overlap and duplication, ROLP and the EU-SCJRIJ continue to proactively coordinate planning and program implementation in order to assure that all efforts are complimentary. This is particularly true in the areas of prosecution training support and in the development of a prosecutor's practice manual.

On June 7, in coordination with the French Embassy and the European Union, ROLP hosted a conference of international donors involved in the criminal justice sector. The various project leaders met to explain their respective current and projected activities in order to facilitate cooperation, communication, coordination, assure consistency, and avoid duplication.⁷ All present agreed that this group should arrange for regular meetings to discuss and consult on project activities. In addition, the Secretary General of the Ministry of Justice has indicated his desire to meet as well with the international donors on a regular basis. An initial meeting was held on June 18 with another meeting planned for mid-July.

Legislative and Opinion Bureau (LOB)

Pursuant to ROLP's plan to help build the administrative capacity of the LOB, ROLP, Muna Hakooz, a contracted consultant, and Mr. Mohammed Amawi, a short-term business process reengineering expert, reviewed all legislation governing the LOB and Standard Operating Procedures were completed to streamline incoming and outgoing correspondence. A benchmarking study of the Bureau was made, best practices identified and a proposed organizational structure and detailed functional analysis were prepared and revised, incorporating final comments from LOB's president and secretary general into the organizational structure. In April, the LOB provided consultant Ms. Hakooz with written feedback on the organizational structure, function analysis, job descriptions and Standard Operational Procedures. A committee met to revise and endorse these deliverables.

⁷ A grid summarizing the donors and their objectives is attached.

The next phase of this activity began in May and involved conducting interviews with all LOB employees to identify any competency gaps which may exist and determine the surplus/shortage of employees. Additionally, recruiting for IT officers and administrative candidates began. Staffing regulations were set and training programs implemented. At a meeting discussing the reorganization and restructuring of the LOB, most of the process reengineering points that were considered from the ROLP consultant, Mr. Amawi, were accepted.

Reorganization and restructuring of the LOB has been completed; final versions of all deliverables were delivered to Dr. Ziyadat, the LOB President, to begin individual evaluation. The LOB was informed by Ziyadat that all documents were reviewed; the LOB will start individual evaluation and Standard Operating Procedural (SOP) training in early July.

OBJECTIVE 5: PROJECT PLANNING, MONITORING, AND REPORTING

Davis Award Recognition

ROLP Jordan was awarded second place for its “sustainability” in the DPK/Tetra-Tech Davis Award Recognition, by virtue of its support in establishing the Technical Office in the Court of Cassation. The Technical Office manages all cases at the court from intake to issuance of judgment. ROLP provided the TO with equipment, computers, databases and trained TO personnel. ROLP staff chose to donate the bulk of the cash award to the El Amman Fund, and NGO that supports educational funding for orphans.⁸

ROLP CPAR Results

ROLP received positive survey results from USAID for work from the ROLP project. The evaluation, known as the CPAR (Contractor Performance Assessment Report) indicated an “exceptional” review for the following categories: Quality of Product or Service, Schedule, Business Relations, and Management of Key Personnel. ROLP also rated “very good” for Cost Control.

USAID Development Experience Clearinghouse

Fadia Batarseh, ROLP’s Senior Administrator, is indexing all required reports and deliverables for the USAID Development Experience Clearinghouse. The reports date from 2008-present. This is an ongoing activity. ROLP is required to submit reports, assessments and other deliverables to the Clearinghouse within 30 days of the end of project in order to fulfill ROLP’s contractual agreement with USAID.

⁸ A letter of acknowledgement and appreciation from Al-Aman is attached in the appendix.

ROLP - Quarterly PEMP Report

The ROLP Quarterly PEMP Report accompanies this QR#15 as a separate attachment.⁹

USAID – Strategic Planning and PEMP Review

On June 25, ROLP staff met with USAID planning consultant Jane Nandy who had just arrived in Jordan for a three month study relating to D&G Strategy and project PMP design. ROLP staff discussed ROLP's past and present and provided her with copies of the PEMP documents prepared in February and with data collected for the PEMP first Quarterly Report of 2012. Follow-up meetings with Ms. Nandy will take place during the next few months.

⁹ It is understood that ROLP's quarterly PEMP will be submitted with the Quarterly Reports.

APPENDIX

- A. Judicial Council Annual Report 2011**
- B. Criminal Procedures Code Workshop Report**
- C. Prosecution Leadership Meeting- 13 June 2012**
 - i. Briefing Note**
 - ii. Minutes/Report (English Version)**
- D. Training Sessions- Investigative Skills- 19-21 June**
 - i. Memorandum on Investigative Skills Training- Developing a Training Program for Felony Case Building and the “Team” Approach**
 - ii. Agenda- June 19, 20, 21**
 - iii. List of Attendees**
 - iv. Lecture Outline- Building the Case for Felony Indictments**
 - v. Power Point Presentation**
 - vi. Remarks on Recurring Issues**
 - vii. Power Point Presentation**
 - viii. Evaluation**
- E. Summary of International Donor Criminal Justice Activities (Prepared by the European Union)**
- F. Thank You letter from Al-Aman**

Appendix

A. Judicial Council Annual Report 2011

Judicial Authority Annual Report

2011

Table of Contents

A World from the Chief Justice	7
I. General Framework of the 2011 Judicial Authority Annual Report	13
II. Methodology of Annual Report Preparation and Calculation of Performance Indicators Pertinent to Court Effectiveness.....	17
Court Achievements, Performance Indicators, Opportunities and Future Aspirations	21
1. Judicial Independence and Institutional Building Pillar.....	21
1.1 Institutional Independence of the Judicial Authority	22
1.2 Individual Independence of a Judge	24
1.3 Judicial Inspection	27
1.4 Judicial Institute of Jordan.....	39
1.5 Administrative Units Supporting the Judicial Council	49
1.6 Technical Office at the Court of Cassation	53
1.7 State Lawyer Department	56
2. Efficiency and Effectiveness of Court Operations Pillar	62
2.1 Reduce Litigation Time, Alleviate Burden on Courts, Improve their Performance and Enhance the Quality of Judicial Judgments.....	62
2.2 Judicial Cadre	63
2.3 Performance Indicators of the Court of Cassation	64
2.4 Performance Indicators of the Court of Higher Justice.....	68
2.5 Performance Indicators of the Public Prosecution Before the Administrative Court.....	71
2.6 Performance Indicators of Courts of Appeal	73
2.7 Performance Indicators for the Income Tax Court of Appeals	80
2.8 Performance Indicators for the Customs Court of Appeals	82
2.9 Performance Indicators for the Aqaba Economic Zone Customs Court of Appeals	84
2.10 Performance Indicators for the Customs First Instance Court	86
2.11 Performance Indicators for the Aqaba Economic Zone Customs First Instance Court	88
2.12 Performance Indicators for the State Properties Court	90
2.13 Performance Indicators for the Lands Settlement Court	93
2.14 Performance Indicators for the Income Tax First Instance Court.....	95
2.15 Performance Indicators for the Aqaba Income Tax First Instance Court.....	97

2.16	Performance Indicators for First Instance Courts.....	103
2.17	Performance Indicators for First Instance Courts in the Capacity of Courts of Appeal	116
2.18	Performance Indicators for Conciliation Courts	121
2.19	Performance Indicators for Civil Case Management Departments at First Instance Courts ...	134
2.20	Performance Indicators for Mediation Departments	142
2.21	Performance Indicators for Criminal Execution Departments of Public Prosecution Departments before First Instance Courts	149
2.22	Performance Indicators for Execution Cases of Public Prosecution Departments before Conciliation Courts	155
2.23	Performance Indicators for Execution Cases of Public Prosecution Department before the Major Felonies Court.....	156
2.24	Performance Indicators of Municipality Courts and Public Prosecution Departments before Them	158
2.25	Performance Indicators of Civil Execution Departments	166
3	Effective Criminal Justice System Pillar	173
3.1	Public Prosecution	173
3.2	Criminal Justice	175
3.2.1.1	Performance Indicators of the Major Felonies Court.....	176
3.2.1.2	Juvenile Courts Performance Indicators.....	178
3.2.1.4	Performance Indicators of Investigation Cases at Public Prosecution Departments of Conciliation Court	186
3.2.1.5	Performance Indicators of the Public Prosecution Department before the Major Felonies Court/Investigation.....	192
4	Cooperation Relations between the Judicial Council and the Ministry of Justice Pillar	196
4.1	Ministry of Justice Achievements during 2011.....	196
4.2.2	Opportunities for Developing Services Extended to the Public and Enhancing Courts Infrastructure and Support Staff	200
5	Cooperation Relations between the Judicial Authority and other Institutions	201
5.1	Activate Cooperation with the Jordanian Bar Association.....	201
5.2	Develop Relations with Law Schools at Universities and Jordanian Academies	203
5.3	Coordination and Collaboration with Civil Society Organizations	204
5.4	Coordination and Collaboration with Media Entities	205
6	Enhance Confidence in the Rule of Law Pillar	211
6.1	Guarantee Easy Access to Justice	212

6.2	Contribute to the Integration of Legal Culture Into Educational Systems	214
7.	Key Conclusions and Recommendations	216

A Word from the Chief Justice

In the name of God the Merciful

Your Majesty King Abdullah II Ibn Al Hussein,

May God's peace, mercy and blessings be upon you...

Pursuant to article 8 of Judicial Independence Law No. 15 of 2001, it gives me great honor that I submit to Your Majesty, on behalf of my colleagues the members of the Judicial Council, the Annual Report on the status of courts and their performance during 2011.

Your Majesty,

Since I was honored with your confidence to carry the responsibility you entrusted me with, I have been working towards translating your royal vision. I have been basing my work upon your directives to build on the accumulated achievements of our trusted Jordanian judiciary and to continue to advance it as an independent judiciary and as one of the state's body.

I have been working with my colleagues, members of the Judicial Council, to develop and modernize the judiciary, enhance its independence, upgrade the competence and capacity of those serving in the judiciary, and improve performance to stay abreast with the modernization and development our country is witnessing in various fields. Therefore, this report documents the activities carried out by the Judicial Authority over the past year and explores future avenues within the framework of the pillars and goals of the Judicial Authority Strategy for the years 2012 – 2014. It also documents Judicial Council achievements and presents a diagnosis of the challenges and opportunities which it faces. The report covers six main pillars which represent the pillars of the Judicial Authority Strategy (the Strategy of Building) in addition to the sub-objectives falling under each pillar.

With regards to the judicial independence and building of its institutions pillar, you and your Hashemite ancestors have been the guardian of judicial independence and the rule of law fairly, impartially and objectively among all members of the society. It is for this reason that we focused, in this pillar, on the achievements of the judiciary over the past years, with emphasis on what has been done in the past year in instilling independence to the Judicial Authority and individual independence to judges through amending relevant laws, among other related laws. The report also lists the achievements made in relation to the separation of powers principle and the forms of cooperation and integration among them.

On the institutional level, the report touches on the institutional achievements pertaining to judges' affairs, the judicial code of conduct, amendments of laws and regulations of institutions falling under the judiciary, such as Judicial Inspection, the Judicial Institute of Jordan, the Technical Office, the State Lawyer Department and the Administrative Units.

We outlined in this report the challenges which faced our work, along with opportunities and future aspirations, for the coming years in terms of issuing the Judicial Authority Law, the two-level Administrative Judiciary Law, the Execution Law, the Civil Procedures Code, the Criminal Procedures Code and the development of objective criteria for the appointment, transfer, secondment, suspension and dismissal of judges and others.

This past year witnessed the formation of a Royal Committee for amending the Constitution, which received tremendous support to ensure that our Constitution will keep pace with global fast-paced judicial reform and development.

In light of the Constitutional amendments that were introduced to article 27 of the Constitution, stating that the Judicial Authority shall be independent, and to article 28, which stipulates that a Judicial Council shall be established pursuant to law and shall handle all affairs related to regular judges, and in order to put in place a unified legislation that governs the functions of the Judicial Authority, judges from various judicial levels and courts developed a draft Judicial Authority law after soliciting the views and opinions of judges. The draft law was endorsed by the Judicial Council and Cassation Court judges upon which we submitted to the Prime Minister with an explanatory memo to undertake the necessary Constitutional measures for its issuance.

Based on the Constitutional amendments that were introduced to article 100 of the Constitution, and which stipulate that the Administrative Judiciary shall be litigated on two levels, the Judicial Council developed a draft Administrative Judiciary Law. Judges from around the Kingdom were surveyed with regard to said law. This was followed by a workshop that was attended by Judicial Council members, Court of Higher Justice judges, the Public Prosecution before the Administrative Court, Administrative Law professors, Jordanian university professors and a delegation from the State Council of Egypt. The aim of the workshop was to benefit from Egypt's experience in this regard. The outcome of these efforts was the development of a draft Administrative Judiciary Law which was submitted to the Prime Minister along with an explanatory memo in order to undertake the necessary Constitutional measures for its issuance.

With regards to the courts efficiency and effectiveness pillar, Your Majesty's vision of modernizing the Jordanian judiciary was the foundation. We were challenged to advance the Judicial Authority into a modern body that is protected by independence, integrity and impartiality and has a pivotal role in ensuring the implementation of Jordan's comprehensive development plans. Your Majesty's strong political will and clarity had the greatest impact in guiding all justice sector stakeholders in developing work tools and policies in a qualitative manner that are in line with Your Majesty's vision in dealing with judicial reform that leads to a fair and timely delivery of justice.

With respect to reducing litigation time, we aimed to expedite performance while taking into account the quality of judgments issued by courts, the type and complexity of cases and the specialization of judges in certain types of case, including accounting for case backlog, which had an impact in combining speed and quality.

The effectiveness of court functions is among the most important indicators that measure the effectiveness of the Jordanian Judicial System and the degree of its flexibility and responsiveness to developments, particularly in relation to the high workload of courts and judges. The importance of this indicator lies in that it measures an aspect of the objective of the strategy for developing the Jordanian judiciary over the coming years which is aimed at reducing litigation time, expediting the disposition of cases, curtailing the accumulation of backlog and reducing caseload on judges.

The performance indicators of courts for the past year indicate that the number of cases filed at courts, with the exception of municipal courts, was 384,673 cases, and the number of disposed cases during the same period was 395,340 cases; the case disposition rate was 103%. This constitutes a high percentage

for this year because of the issuance of the general pardon law for 2011, a reason for disposing and closing many criminal cases.

With respect to the effective criminal justice pillar, a great deal of work has been done over the past years towards enhancing the independence of the public prosecution body, as it is considered a primary pillar upon which the criminal justice system is based in exercising its jurisdiction and authority within the provisions of legislation in force.

The public prosecution adjudicates cases on behalf of society, supervises the work of the judicial police, applies criminal laws, and oversees the enforcement of judgments to make the community safer and to protect the rights of citizens without discrimination. We devoted a major pillar within Strategic Plan for the next three years to specific objectives and activities/programs to help achieve these objectives. Developing the performance of the public prosecution requires strengthening it through the principle of specialization, which has become the prevailing trend, and providing it with exceptional judicial skills that meet its requirements, as well as qualifying public prosecutors and providing them with job stability to improve the quality of judgments and secure their needs.

Regarding the pillar of cooperative relations between the Judicial Authority and the Ministry of Justice, despite considerable achievements and strong cooperative relations governed by legislation in force, in the coming phase we aim to put an end to the controversy related to the nature of relations between the two parties. We hope to achieve this through establishing an institution as one that instills the basis of the independence of the Judicial Authority and the principle of the separation of powers through activating integration and cooperation within shared and common interests. At present, there is a lack of clarity of the relationship, unclear overlapping responsibilities, and an absence of allocated funds for the Judicial Authority within the general budget as an independent and established authority, making it the least independent of the state's authorities. No less important is the forging of cooperative relations with other partners, both official and non official entities, in order to achieve complementary work which enhances transparency and integrity. This includes strengthening cooperative relations with the Bar Association, law schools of Jordanian universities, civil society organizations, media organizations, and developing relations with relevant security apparatuses with the aim of raising awareness on the role of the Judicial Authority, supporting efforts aimed at judicial independence and supporting judicial development and modernization efforts on one hand, and on the other creating a legal culture that supports awareness-building of the society and which establishes the base for building a modern state built on partnership, accountability and the rule of law.

In the pillar related to promoting confidence in the rule of law, considered the most important base of citizenship pertaining to the duties and rights of individuals towards each other and towards the country in which they live, rights and duties are governed by legislation related to the concept of the application of the rule of law in an impartial, fair and just manner, irrespective of race, gender, religion, social status, political orientation or origin. This requires that all citizens are informed and aware of laws and the rule of law and abide by them through active participation in applying them on the ground. Laws must be based on good governance principles on the grounds of applying the law to all, providing protection of the basic rights and freedoms without discrimination. The separation of powers, through an independent judicial authority that exercises its mandate with all fairness, integrity and equality that are in line with international standards and laws, guarantees fair trials.

Through the Strategic Plan for the next three years, we defined the most important basis for enhancing public confidence in the rule of law through several objectives, activities and programs related to easy access to justice, obtaining rights in a speedy manner, and providing approximate conditions of fair trials. Knowledge on the part of the public about the principles of the work of the Judicial Authority and litigation procedures will facilitate the work of judges, and expedite case procedures and case disposition.

Your Majesty,

We seek to find the guidance from the almighty God and then from Your Majesty's vision to ask for your support to achieve your ambitions and aspirations from the Jordanian judiciary that is always proud of Your Majesty's continuous support. We promise to carry out our duties with all fairness and integrity, and which safeguards the pride and honor of Jordanian citizens and every person in this country, to achieve the higher interest of the county. A free and respected citizen who enjoys fairness and security loves his country and his King and will sacrifice all that is precious and devoutly contribute to serving his people and his nation.

We ask the almighty God to protect you and keep you in good health.

May God's blessings and peace be upon you.

Amman

22/ 3/ 2012

Judge Mohammad Al Mahameed

Chief Judge of Cassation Court

Chief Justice / Judicial Council of Jordan

I. General Framework of the Judicial Authority's Annual Report for the Year 2011:

The justice sector enjoys the high interest of His Majesty King Abdullah II. Said interest is reflected in the letter sent by His Majesty the King to the Chief Justice and Chief Judge of the Court of Cassation on 20 September 2011. The letter focused on several factors that are based on the Constitutional amendments relating to the Judicial Authority. These amendments are grounded on the separation of powers, the complementary relationship and equality among the three powers (the legislative, judicial and executive powers), and the instilment of judicial independence and the building of its institutions.

In order to translate vision to reality, the performance of the judiciary must be developed, particularly by reducing litigation duration, the time needed to settle a case, and achieve the aspired level of efficiency that would promote justice among people. Additionally, it requires a new judicial culture that encompasses all values and gives a fair ruling in disputes as reflected in the Constitutional amendments. It also requires the strengthening of trust and reliability of an effective and fair judiciary as the robust guardian of the rightful state, the main pillar of the security of justice, fair trials and the driver of comprehensive development. It also requires the training of judges in various fields to stay abreast with national and international changes and the increasing complexity of specialized legislation to meet the need for society to tangibly see, in the foreseeable future, a direct and positive impact of judicial reform.

This Annual Report documents the performance and achievements of courts during 2011, and explores the future prospects for the coming three years which fall under the pillars and objectives of the Judicial Authority Strategic Plan for the years 2012–2014. The report also provides a diagnostic assessment of the challenges and opportunities facing the judiciary and covers the six main pillars that represent the main components for building and strengthening the Judicial Authority over the coming three years, in addition to the sub-objectives that fall under each component:

1. **Judicial Independence and Institutional Building Pillar:** This pillar focuses on the cumulative achievement of the judiciary, with emphasis on the achievements realized during 2011 in terms of laying the foundation for the independence of the Judicial Authority and strengthening the individual independence of judges legislatively, through amending laws related to judicial independence and judges among other relevant laws. It also outlines achievements related to the principle of separation among the three powers and the forms of collaboration and integration amongst them. With regards to the institutional aspect, the report touches on the institutionalization of procedures related to judicial affairs, judicial conduct, amending laws and regulations of institutions falling under the judiciary, such as

the Judicial Inspection Body, the Judicial Institute of Jordan, the Technical Office, and the State Lawyer Department.

The report also outlines the challenges that were faced in relation to this pillar as well as the opportunities and future prospects and aspirations for the coming years, in the area of legislation, to include the issuance of a Judicial Authority Law, the Administrative Judiciary Law to become adjudicated in two levels, the Enforcement Law, the Criminal Procedures Law and the Civil Procedures Law. It also outlines aspirations related to setting objective criteria for appointment in the judiciary as well as for the transfer and secondment of judges and their suspension and removal among others.

2. **Efficiency and effectiveness of court operations pillar:** This pillar captures the statistical achievements of courts both qualitatively and quantitatively. It also extrapolates data and indicators pertinent to the effectiveness of the different levels of courts in terms of: the number of judges and their distribution, the number of pending cases, incoming and cleared cases and the real annual caseload of judges or judicial panels, the clearance rate of judges or judicial panels, the quality of judgments, performance level and progress rate in the functions and performance of courts over the past three years. It also addresses achievements in the area of case enforcement and the timelines in which people obtain their rights.

The report presents, in detail, achievements made in the field of improving effectiveness of judges, developing their knowledge and skills, particularly in the field of training and the quality of training programs as well as trainers, specialized training, training of new judges, exchange of expertise, cooperation with Arab and foreign entities, projection of court performance indicators for 2012, provision of recommendations to reduce caseload before courts and on judges, reduction of litigation time, improve the performance and quality of judgments, and planning for training programs, curricula and trainers in various and specialized judicial fields.

3. **Efficient criminal justice system pillar:** This pillar captures the achievements of the public prosecution body in amending the Public Prosecution Law, and the Criminal procedures law and guaranteeing fair trial standards, developing the legal aid system, the extradition law in a manner congruent with international agreements. The report also outlines achievements in the field of coordination with security apparatuses, judicial enforcement directorate, criminal investigation, and rehabilitation centers among others. In addition, achievements related to deploying expertise, training of public prosecution members, their assistants and staff working at the attorney general office are also outlined.

In addition, the report documents the challenges and opportunities as well as future aspirations in the field of providing members who are competent, possess experience in the substantive and procedural

aspects of criminal law, and the ability to project problems that could emerge during litigation, provide specialized judicial policing with expertise in policing matters, develop structured coordination between the public prosecution body and the Judicial Council on one hand, and police stations, judicial enforcement and other establishments on the other.

4. **Cooperative relations between the Judicial Authority and the Ministry of Justice pillar:** This pillar presents achievements realized in 2011 related to Notary Public Departments in terms of the quantity and quality of services provided to the public, and the Non-Conviction Certification Department in terms of the type and quantity of certificates issued and the means of obtaining such certificates in person or on-line. It also presents improvements in terms of providing services to the public at Execution Departments and electronic inquiry system installed at courts in terms of the number and type of inquiries. This pillar outlines achievements in modernizing and improving the infrastructure of courts; logistical support extended to courts in terms of supplying equipment, stationary and supplies; information technology systems; intranet and extranet between courts; and website development. It also covers achievements in supporting courts through the provision of support staff, improving effectiveness of the judiciary through attracting highly-qualified and competent candidates, and providing specialized training programs according to job title and functions and duties.

Furthermore, the pillar provides an overview of the available challenges, opportunities and prospects of developing and modernizing departments falling under the Judicial Council, both legislatively and institutionally as well as the quality of services extended to the public. It also outlines the future of the complementary relationship between the Ministry of Justice and the Judicial Council within a framework of a joint plan that distributes roles, defines implementation mechanisms, and provides a system of monitoring and evaluation.

5. **Cooperative relations between the Judicial Authority and other entries:** This pillar covers achievements of the Judicial Authority in the field of enhancing communication and cooperation with various relevant institutions, such as the Jordanian Bar Association. It also includes the role relevant institutions play in applying the law and preserving judicial independence.

The pillar presents potential future challenges and opportunities in developing relations and cooperation between the Judicial Authority and relevant entities while preserving the independence of each. The institutionalization of such relations requires the provision of legislation that supports and regulates coordination mechanisms that guarantee the effectiveness of such partnerships. Building cooperation and coordination requires the development of a joint workplan that contributes in developing and implementing activities of joint interest.

6. **Building public confidence in the rule of law:** Instilling public confidence in the rule of law has a direct and positive effect on the performance of the Judicial Authority. The proper methodology of reform is based on promoting confidence of citizens in the rule of law. This pillar reviews the achievements of the judiciary as well as outreach and field visits carried out within the framework of awareness campaigns. It also provides an overview of progress made in terms of developing websites and identifying the type of media and communication tools that the judiciary must use to gain public confidence. The report also reviewed key findings of studies that solicit public opinion with regard to the rule of law. It also outlines the activities undertaken by the judiciary in the education sector and the integration of the legal culture into education curricula and systems, particularly the dissemination of the culture of citizens' rights, duties, fundamental freedoms and equality before the law.

The future outlook in this regard focuses on developing joint programs in collaboration with relevant entities with the aim of building understanding of the importance of the judiciary, the rule of law, and raising awareness about legal culture. This will be achieved through incorporating the legal culture into the educational curricula, programs and activities educating the public about the judiciary's efforts in judicial development and Constitutional amendments, and carrying out survey studies that capture the development of knowledge, understanding and practices of the public vis-à-vis the rule of law, justice and timely enforcement of judgments . In order for media organizations to play a positive role in spreading legal awareness, it is important to train and simplify judicial and legal concepts and unify the media message to be disseminated. It is also important to enable the media to obtain and access correct, reliable and documented information, all which will improve the effectiveness of these institutions and enable them to spread the mission of the judiciary and reach the public. In order for such institutions to perform their role, the work must be institutionalized through signing cooperation protocols to implement training programs and by publishing a series of booklets to be distributed widely among the public to educate people about the efforts of the Judicial Authority and raise awareness about citizens' basic rights, duties and freedoms and their equality before the law.

Key opportunities available to develop and modernize the Jordanian judiciary to assume high rankings among advanced countries pertains to the safety, strength and clarity of ideas, philosophies and perspectives with regard to judicial reform at the top echelon of the state. This will undoubtedly ensure a solid foundation with the soundness, quality and accuracy of implementation at the base of the pyramid. In addition, there must be a commitment of diligence and seriousness on the part of the government and the Judicial Authority to adopt and activate legal reform and practical implementation of reform programs. There is conviction among public and private relevant institutions as well as the public in the credibility of the judicial reform process. There also exists a highly qualified team of judges with a high-level of competence and judicial expertise who possess a strong will, desire and conviction for the importance of development, modernization and reform in the judiciary as the basic guarantor for the embodiment of modernization and development.

II. Methodology of Annual Report Preparation and Calculation of Performance Indicators Pertinent to Courts Effectiveness

Pursuant to article (8) of the Judicial Independence Law No. 15 of 2001, the Chief Justice shall, at the beginning of each year, prepare an Annual Report that covers the status of courts and courts performance during the preceding year and is presented to the Judicial Council for endorsement and for submission to His Majesty the King, with a copy sent to the Minister of Justice.

In preparing this report, the Judicial Council consulted with all entities and departments falling under it by requesting a written documentation of their individual achievements in 2011 as well as the challenges they faced during the course of their work. They were also asked to identify enhancement and development opportunities available and share their future aspirations and plans for improving performance and the level of service provided to society in the course of achieving efficient justice.

The methodology adopted in the preparation of the report is in accordance with accepted scientific standards, both in terms of official statistical data sources, in terms of ensuring and verifying the accuracy and consistency of data and its documentation, tabulation and calculation of indicators related to the operations of courts. A participatory approach was adopted as well as close collaboration with all relevant entities and stakeholders in the preparation of the report corresponding with institutions and departments falling under the Judicial Council to provide the team responsible for the preparation of the report with information related to 2011 achievements, share their thoughts regarding the key challenges faced during the course of their work, identify opportunities for improvement and development, and outline future aspirations and plans for improving performance and enhancing the quality of services extended to society to achieve efficient and timely justice.

Official monthly documented court statistics already issued by all courts across various levels throughout the year was used.

The methodology used in preparing the report was based on linking the achievements of the Judicial Authority and its challenges in 2011 with the pillars and objectives of the Judicial Authority Strategy for the coming three years (2012–2014) in order to achieve integration and coordination between the activities and achievements of the judiciary with the objectives of the Strategic Plan. The report adopted statistical indicators used in previous Annual Reports. New and modern concepts were also introduced in line with the current reality; new indicators were used that were not previously adopted. A

descriptive analytical approach was used in the extrapolation of data pertaining to the operations of courts through presenting statistical tables, graphs, explanatory analysis, and drawing results and recommendations where possible.

The statistical report covered regular courts, which are: the first level courts (First Instance and Conciliation Courts), second level courts (Appeals Courts) and the highest judicial body in the Kingdom which is the Cassation Court. It also covered special courts presided over by regular judges: the Court of Higher Justice, the Major Felonies Court, the State Properties Court, Customs First Instance Court, Customs Appeals Court, Income Tax Appeals Court, Lands and Water Settlement Court, Municipalities Courts, Aqaba Special Zone Customs Appeals Court, Aqaba Special Zone First Instance Customs Court, First Instance Tax Court, Aqaba First Instance Tax Court, in addition to the various Investigation and Enforcement Departments.

Statistical data included in the Annual Report are highly credible and reliable and can be used as a scientific reference and resource for decision makers within the judiciary or other public and private institutions as well as scholars and researchers in the judiciary. It is worthy to note that some justified errors in the data, which do not exceed 1%, and which are acceptable from a statistical standpoint, do not affect the core of the issue or impact the results and forecasts. Most of such errors pertain to cases carried over from one year to the other with minor variations. **Following are the indicators that were used and their method of calculation:**

1. **Pending (or carried over) cases indicator:** This indicator measures the number of cases that were not closed during the previous month or the previous year and is carried over. This indicator is generally calculated as follows: (the total number of pending cases and the cases registered during the year—the number of cases that were closed during the year). If there was a discrepancy between the number of mathematically calculated cases and the number listed in the data provided, the latter was used.
2. **Number of judges/judicial panels according to court:** This indicator was calculated based on the endorsed numbers from the human resources database in courts.
3. **Number of registered case during the year indicator:** This indicator measures the number of the different types of cases filed daily at courts and distributed amongst judges for review.
4. **Number of disposed cases indicator:** This indicator measures the number of cases disposed of by judges and added for all judges at each court every day.
5. **Pending and new cases indicator:** The number of pending cases and new cases for each judge each day are calculated at the court level and added monthly. Mathematically, this indicator is calculated as follows: (number of new cases registered each day, month and year + pending caseload from the previous year and pending each day, month and year).
6. **Percent of disposed cases to new cases indicator:** This indicator measures the performance of all judges in a court monthly and annually. Mathematically, it is calculated as follows: (number of disposed cases/number of new cases x 100). This indicator was used in preparing the 2011

Annual Report: $(\text{number of disposed cases} / (\text{number pending cases} + \text{number of new cases}) \times 100)$. This is so given that judges receive and dispose of both types, pending and new cases.

7. **The real annual average caseload of each judge:** This indicator calculates the caseload of each judge at each court. Mathematically, this indicator is calculated based on the annual data as follows: $(\text{total number of pending and new cases according to court and case type} / \text{number of judges in each court and according to case type})$. The change, either increase or decrease, in the average caseload of a judge from year to year varies based upon many reasons, the most important of which are:
 - Change in the number of cases filed at the court during the year (increase or decrease) compared to previous years, which increases or decreases the caseload of a judge, assuming that the number of judges is constant.
 - The number of pending cases from the previous year, which increases or decreases the caseload of a judge, assuming that the number of judges is constant during the years.
 - The annual caseload of a judge increases or decreases according to the number of judges in a court compared to previous years.

8. **Annual clearance rate per judge/judicial panel indicator:** This indicator measures the performance level (clearance rate) of a judge in clearing cases filed during the year and/or carried over from previous years. Mathematically, this indicator is calculated as follows: $(\text{number of new and pending cases} / \text{number of judges in a court})$. The annual clearance rate of a judge mathematically increases or decreases for several reasons, the most important are:
 - The increase or decrease in the number of cleared cases during the year compared to previous years.
 - Change in the number of judges during the year compared to previous years.

9. **The overall average of the annual caseload and clearance rate of a judge in courts with joint jurisdiction indicator:** The annual average indicator of the performance level and caseload of a judge for all courts that have joint jurisdiction is considered the key measurement for calculating the workload and performance of judges at the level of one court compared to the general average of all courts.
10. **Monthly caseload of a judge:** This indicator measures the caseload of each judge. Mathematically, this indicator is calculated from the annual data of courts as follows: $(\text{total number of pending and new cases according to court and case type} / \text{number of judges according to court and case type} / 12)$.
11. **Forecasted workload and performance of courts for 2012 indicator:** This indicator aims at projecting the level of the courts' workload for 2012. The percent of change is calculated by using data from the past two years (2011 and 2010) pertaining pending and closed cases by considering 2010 as the base year as follows:
 - **Percent of change (increase/decrease) in the number of new cases per year** = $(\text{number of cases filed in 2011} - \text{number of cases filed in 2010} / \text{number of cases filed in 2010}) \times 100$.
 - **Percent of change (increase/decrease) in the number of disposed cases per year** = $(\text{number of disposed cases during 2011} - \text{number of disposed cases in 2010} / \text{number of disposed cases in 2010}) \times 100$.

- **Number of new cases filed during 2012** = number of cases filed in 2011 + (number of cases filed in 2011 x percent of change in the number of filed cases).
- **Number of disposed cases in 2012** = number of disposed cases in 2011 + (number of disposed cases in 2011 x percent of change in disposed cases.)

Court Achievements, Performance Indicators, Opportunities and Future Aspirations

The methodology adopted in preparing the Judicial Authority's Annual Report for 2011 was participatory and collaborative that reflected the achievements, challenges, as well as the opportunities and future aspirations before all institutions and departments relevant to the Judicial Authority. All institutions and departments were officially approached requesting their achievements realized during the year, as well as their future plans and aspirations for improving performance and enhancing the quality of service provided to its targeted beneficiaries. Prior agreement of the report content and the timeframe for completing the first draft was reached with relevant entities following extensive dialogue and discussion.

The 2011 achievements of the Judicial Authority were captured, as well as the challenges it faced during the course of its work. Additionally, the report outlines the wide range of opportunities available as well as future aspirations in the context of the pillars and objectives of the Judicial Authority Strategy (the Building Strategy) for the coming three years (2012–2014). The aim of said methodology is to objectively reflect on the achievements in the context of the strategic objectives of the Building Strategy pertinent to the judiciary, and to document lessons learned from challenges faced in the past in order to proceed towards the future through identifying the opportunities available before the judiciary and project aspirations for the future.

1. Judicial Independence and Institutional Building Pillar

All international covenants emphasize the importance of judicial independence and indicate that the state must guarantee and safeguard such independence. This must be achieved through a Constitutional provision that obliges all state institutions to respect and account for the independence of the Judicial Authority from both the legislative and executive branches, while maintaining a complementary relationship between the three branches based on an equal footing, and not allowing any body or entity to issue orders, instructions or suggestions to the Judicial Authority concerning its regulation and governance. The original jurisdiction of the judiciary, which is the resolution of disputes by assigning jurisdiction over the adjudication of cases to other courts such as special courts, legislative councils, or granting administrative Judicial Authority to executive administrations, must not be touched.

The topic of judicial independence is considered closely linked to the issue of justice, rule of law, the balance of equality and freedoms in a society. The values of justice and equality are affected negatively or positively with the level of instilment and prevalence of judicial independence. Judicial independence is an inevitable choice for people or rulers and a necessity that constitutes a safety valve for litigants. Discourse on a state of institutions, the rule of law principle and legitimacy in a state in which an independent judiciary does not exist becomes somewhat futile, given that all these issues are closely interrelated. Where there is no conviction and belief in the rule of law concept, it is not possible to imagine the existence of an independent Judicial Authority that can stand in the face of interference by the other authorities (the executive and the legislative).

The Jordanian Constitution guarantees the separation of powers in articles 97 through 102, whereby it considers the Judicial Council to be the apex of the Judicial Authority, and on parallel, equal and complementary footing with the legislative and executive powers. This was also reiterated and emphasized in recent amendments made to the Constitution.

Given the importance of the issue of judicial independence, a main pillar was dedicated to it within the Judicial Authority Strategy for the coming three years (2012–2014). A set of objectives were drafted along with activities that will be implemented through six programs, the most important of which are: the Legislation Program and the Institutional Capacity and Human Resources Development Program.

1.1 Institutional Independence of the Judicial Authority

Judicial independence is manifested in two primary variables, the first of which is the independence of the Judicial Authority from both the legislative and the executive branches. The independence of the judiciary from the legislative is exhibited by the latter not interfering in the affairs of the former, by not issuing any legislation that affects judicial decisions, or changes the format of a court with the aim of influencing its decisions.

With regard to the independence of the judiciary from the executive power, this would be through not allowing the latter to exercise any authority that would interfere in the judicial process, nor practice any monitoring or inspection over the judicial functions of courts. It would also be displayed through the executive branch not abstaining from or ignoring to undertake a function or task in anticipation of a definite judicial ruling into the dispute, or impede the sound enforcement of the decision of one of the courts.

The second variable relates to jurisdiction of the judiciary over all matters of judicial nature, whereby “the Judicial Authority would have general jurisdiction over all matters of judicial nature, and it would solely decide on whether any matter brought before it for resolution does or does not fall within its jurisdiction according the definition stipulated in the law”.

1.1.1 Challenges Related to the Institutional Independence of the Judicial Authority

The process of establishing the principles of the institutional independence of the Judicial Authority faces several challenges. The key challenge relates to the existence of legislation that affects the institutional independence of the judiciary, particularly those related to the Judicial Inspection body and the Judicial Institute of Jordan, both of which fall under the Ministry of Justice. Several other challenges exist, however, the most important of which are:

- Legislation not in line with the vision of His Majesty and international standards related to the institutional independence of the judiciary and the individual independence of a judge as well as human rights standards.
- Management of the administrative and financial resources of the judiciary fall under the Ministry of Justice, as opposed to the Judicial Council.
- Court support staff report to the Ministry of Justice administratively and functionally, instead of the Judicial Council.
- The Ministry of Justice supervises infrastructure development of courts and the provision of logistical support for courts, instead of the Judicial Council.
- Lack of full and integrated institutional independence of the judiciary in the legislation.

1.1.2 Opportunities Related to the Institutional Independence of the Judicial Authority

Opportunities exist for establishing the basis of institutional independence of the judiciary, the most important of which is the strong presence of Royal will which perceives judicial enhancement and development as a priority, given that it is the guardian of justice and the driver of integrated development. Other opportunities include:

- The Jordanian Constitution emphasizes the separation of powers and guarantees the independence of the judiciary through the Judicial Independence Law, which considers the Judicial Council the apex of the judiciary and on par with and complementary to the legislative and executive authorities.
- The Constitutional amendments that emphasize the independence of the judiciary and its institutions.
- Presence of a 2012-2014 Strategic Plan whose main pillars, objectives, activities and programs were built based on instating the independence of the Judicial Authority both legislatively and institutionally.

- An active Judicial Council exists and represents the Judicial Authority, which is independent from both the executive and legislative authorities, which handles in full all affairs related to judges in terms of apportionment, duties, promotion, transfer, secondment, resignation, trial and disciplining.
- Presence of competencies and expertise capable of staying abreast with Constitutional amendments and advancements taking place, and who possess a full understanding of requirements for attaining judicial independence institutionally and legislatively.
- There is strong conviction among public institutions and civil society organizations as well as a high level of awareness among the public on the importance of the independence of the Judicial Authority from the legislative and the executive branches.

1.1.3 Future Aspirations for Enhancing Institutional Independence of the Judicial Authority

Within the framework of the 2012-2014 Strategic Plan, there are six programs that include all activities and functions which the Judicial Authority will work on implementing over the coming three years. The Legislation program has particular importance in relation to this pillar, which pertains to the institutional and legislative independence of the judiciary in order to close the legal and legislative gap that would enhance judicial independence. Following are future aspirations in this regard:

- Establish a fair and independent judiciary that enhances the concept of financial and administrative independence of the judiciary as a sovereign Judicial Authority that is independent from the executive and the legislative powers, and which guarantees the integrity and transparency of the judiciary.
- Study and amend laws and legislation as a tool to enhance the independence of the Judicial Authority such as the Judicial Authority Law and the Two-level Administrative Judiciary Law. Also, meet the needs of courts by amending other laws such as the Enforcement Law, the Criminal Procedures Law, the Civil Procedures Law, the Penal Code, Industry and Trade Law, Mediation Law, Juveniles Law, the Rehabilitation and Correctional Facilities Law, among others.
- Amend the Judicial Authority Law in such a way that it would guarantee an independent budget and financial and administrative independence, including the independence of support functions, the Judicial Inspection Body and the Judicial Institute of Jordan, among others.
- Institutionalize the relationship of cooperation and joint work within a framework of a work plan that is clear and outlines roles and responsibilities between the judiciary and the Ministry of Justice according to specialization, in order to avoid overlap in responsibilities and authorities and to promote solid principles of an independent Judicial Authority, both institutionally and legislatively.

1.2 Individual Independence of a Judge

The Jordanian Constitution guarantees the individual independence of a judge whereby article (97) states that “judges are independent, and in the exercise of their judicial functions are subject to no authority other than that of the law.”

This states that no interference by any authority, except for the law, shall not be involved in the appointment, dismissal, secondment, and promotion and discipline of judges. This is what international conventions emphasize in the Universal Declaration on the Independence and Neutrality of Judges and Advisors and the Independence of Lawyers, issued by the United Nations Convention in 1988.

There is a close relationship between the independence of the Judicial Authority and the individual independence of a judge. No judicial independence exists without the individual independence of a judges and the reverse is true. There are no independent judges without a judiciary that is independent. On this premise, independence of the Judicial Authority is based on two main components:

First Component: This revolves around the independence of judges in applying laws in disputes and cases between individuals and between people and state entities. It is them, and only them, who decide to criminalize specific acts and rule certain penalties in the application of said laws. No other entity in the state, whichever entity it is, is able to interfere in the work of judges.

Second Component: All decisions related to judges must be fully in the hands of the Judicial Authority in terms of their appointment, transfer, secondment, dismissal and disciplining; judges must be given wide guarantees to defend themselves. The Constitution of the state and all laws in force guarantee this for judges. These are basic issues that guarantee the independence of the Judicial Authority as an institution and the independence of judges as individuals, and makes of the judiciary a true guardian to achieving justice, protecting freedoms, and limiting interference by the executive authority.

1.1.4 Challenges Related to the Individual Independence of a Judge

Many challenges relate to the individual independence of judges. The most important challenge pertains to the existence of legislation that affects the individual independence of a judge, which requires that they be reviewed and amended. Additionally, there are many issues related to the affairs of judges which are beyond the control of the Judicial Council, particularly in the area of appointment and others, such as:

- Weak transparency, equal opportunity and equality in the appointment, secondment and promotion of judges and the interference of the Ministry of Justice in the aforementioned.

- Lack of legislation that furthers and enhances the status of a judge in society, uphold his/her decisions, protect him from pressure and influence exerted by governmental and nongovernmental bodies, as well as influence by colleagues, relatives and friends.
- The wide authorities that the Ministry of Justice have, particularly in the oversight of all courts in terms of infrastructure, facilities, logistical support and the appointment of court staff.

1.1.5 Opportunities Related to the Individual Independence of a Judge

The main opportunities available for strengthening the individual independence of a judge is the presence of a Constitutional text that supports said independence, the vision of His Majesty and the Constitutional Amendments that support such independence and further the status of the judiciary through confining the appointment of judges solely to the Judicial Council, which would be in accordance with transparent and specific criteria based on competence and competitiveness as included in Constitutional Amendments. Opportunities in this regard are:

- The 2012-2014 Strategic Plan focuses, in its main pillars, on completing the individual independence of a judge and amending laws and legislation that affect such independence.
- Institutionalization of rules and procedures pertaining to judges' affairs, particularly in establishing rules related to judicial conduct.
- The Judicial Council and judges possess the will and awareness about the importance of supporting the individual independence of judge institutionally and legislatively.
- An independent and active Judicial Council is already in place which is capable of fully handling all affairs related to judges in terms of appointment, duties, promotion, transfer, secondment, resignation, trial and disciplining.

1.1.6 Future Aspirations Related to Supporting the Individual Independence of a Judge

Among the main future aspirations pertinent to promoting and strengthening the individual independence of judge relates to the transfer of all Ministry of Justice authorities related to judges affairs of the Judicial Council both legislatively and institutionally. Future goals in the area of establishing the basis for the individual independence of a judge include:

- Study and review current legislation related to the individual independence of a judge and work towards amending them..
- Provide a subjective accountability system based on scientific criteria, should there be a violation of the Judicial Code of Conduct.
- Review and update the criteria related to judges' affairs, including appointment, training, and criteria pertinent to promotion, transfer and disciplining, as well as criteria for retiring judges such that adequate financial resources be made available for judges, enhance their social stature and that of their job and general security.
- Provide an environment that promotes the individual independence of a judge through modernizing the infrastructure of courts in terms of space, equipment, protection, and privacy among others.

1.3 Judicial Inspection

The Judicial Inspection body falls under the Ministry of Justice. The Judicial Inspection is comprised of the Chief Inspector and a number of inspectors. The Chief Inspector is appointed pursuant to the decision of the Judicial Council and a Royal decree. The Chief Inspector is appointed from among the high-level judges and he/she is the direct administrative supervisor of the Directorate's Inspectors and staff. Inspectors are appointed by a decision of the Judicial Council and are selected from judges whose rank is not less than second, for a period of three years, subject to renewal. The services of any inspector cannot be terminated nor can he/she be retired, subjected to early retirement, transfer or secondment unless upon his/her request, based upon the recommendation of the Chief Inspector.

According to Article 4 of the Judicial Inspection over Regular Courts Regulation No. 47 of 2005, the Judicial Inspection Directorate handles the following functions: Inspect the work of judges, members of the prosecution body, State Lawyer assistants and execution judges, with the exception of higher-level judges, evaluate the work of judges in terms of the proper application of the law, the fulfillment of litigation and evidence procedures, reasons for postponement, case duration until judgment issuance, the proper reasoning and justification of judgments reached, and determination of the annual clearance rate of each judge.

The Chief Inspector submits his reports, and that of the Inspectors, to both the Chief Justice and the Minister of Justice, who in turn provide each judge a copy of the report.

The primary function of Judicial Inspection is not so much to track the mistakes of judge, but rather to develop and improve their performance. It is for this reason that the Judicial Inspection process requires it to be based on objective criteria that all judges subject to inspection should thoroughly know and understand. The aim of Judicial Inspection is to review functions related to the quantity and quality of clearance of cases in order to serve justice.

1.1.7 2011 Achievements of the Judicial Inspection Directorate

Judicial inspection is among the legal means for monitoring and directing the work of judges and courts as well as inspecting them with the aim of achieving efficient and effective justice and delivering rights to people. From this premise, the efforts exerted by the Judicial Inspection body to evaluate the work of judicial bodies must be noted, given that its primary function is the early detection of strengths and weaknesses in the work of the judiciary. Judicial Inspection reports must be considered, in light of the

outcomes and proposed solutions. Judicial Inspection effectively contributes to the proper administration of justice, enhancing confidence in the judiciary, highlighting negative aspects related to judicial practices and, with Judicial Inspection, providing an influential role in avoiding such practices.

The work of Judicial Inspection ultimately results in putting forward solutions and appropriate mechanisms for mending imbalances and removing obstacles that stand in the way of achieving the higher goal of improving judicial work and delivering timely justice at the lowest possible cost.

Reaching these goals cannot be achieved unless the Judicial Inspection body is qualified to undertake the functions and duties specified in the Judicial Inspection Regulations, and possess the necessary means that elevate it to the required level which enables it to complete the inspection function. The work of a judge, irrespective of post or level, aims to reveal the truth and achieve justice. The same applies to the Judicial Inspection body, as it also aims to identify the truth and deliver its mandate and mission, whether in relation to inspecting the work of judges or investigating complaints.

From this premise, the capacity of the Judicial Inspection to carry out its duties stipulated in the Judicial Inspection Regulations No. 47 of 2005 is closely linked to the availability of resources. The duties placed on the Judicial Inspection body are many and complex, and include inspecting the work of all courts, including all court departments, their administrative staff, prosecution departments, assistants to the state lawyer, and enforcement departments, as well as preparing pertinent reports. It also includes inspecting the work of judges, public prosecution members, enforcement judges, and assistants to the state lawyer in terms of the proper application of the law, the fulfillment of litigation and evidences procedures, reasons for postponement, case duration until judgment issuance, the proper reasoning and justification of judgments reached, determination of the annual clearance rate of each judge. This is done in accordance with a form that was specially designed for this purpose, whereby 20 cases for each judge/prosecutor/assistant state lawyer are audited, using 40 items for each case that include the full case starting from the power of attorney up until the final judgment issuance.

A grading system in which a mark is assigned to each item was adopted. Data related to all inspected cases is entered into an automated system, which displays the result obtained by the judge and his/her average grade obtained from inspecting the judge's work. This is done by two inspectors, each inspecting the cases of the judge separately. In addition, the Judicial Inspection Directorate has been assigned the task of investigating complaints against judges related to postponements, personal behavior, or administrative conduct, which requires listening to the parties and their evidence, reviewing the case, and interviewing witnesses to help identify the truth.

The Directorate keeps a confidential file for each judge that contains the Inspectors' reports and any objections related to them, as well as complaints filed against judges and the disciplinary penalties imposed upon him/her.

Among the burdens which the Judicial Inspection body shoulders is the handling of requests received through the Minister of Justice. These include requests to repeal by a written order, request for retrials, special pardon requests or legal consultations whereby one of the inspectors would prepare the required study for providing consultation and submitting it to the requesting entity. Despite the limited number of Inspectors, they carry out all these functions, prepare reports covering their work, and submit it to the competent authorities.

The Inspectors performed regular inspection over courts, judges and Public Prosecution departments in order to check the timeliness of performance and the clearance of cases to assure that there is no undue delay. This included:

1. Conducting 100 inspection visits over the year to First Instance and Conciliation Courts, Attorney General and Public Prosecution Departments, Enforcement Departments, Customs Appeals and First Instance Courts, Income Tax Appeals Court and the Municipalities Courts.
2. Submit detailed reports pertinent to said visits. These reports outline the judicial and administrative staff assigned to each court/department covered in the field inspection visits, the respective workload in terms of the number of new cases, number of disposed cases and the size of the pending caseload for the next year with a statement that clarifies any reasons for postponements and delays in case disposition based on the sample of backlog cases that were covered in the inspection. The report also includes the needs of courts that were identified during the visits in terms of the additional number of judges and support staff, infrastructure and building maintenance needs, and equipment needs for sustaining the work of each of the inspected courts/departments.
3. The reports were submitted to H.E. the Chief Justice and the Minister of Justice in order for each to take the appropriate measures within their respective jurisdictions. Both the Chief Justice and the Minister undertook the necessary and appropriate measures based on the available resources. They also sent letters to concerned entities to work on implementing the recommendations which will be followed up by the Judicial Inspection body. In addition to the above, during 2011 Judicial Inspectors carried out the following, as shown in the statistical report issued by the Directorate:

Functions Carried out by Judicial Inspectors during 2011

Special Pardon Requests	Number of filed requests	80
	Kept on file due to lack of criteria	6
	A letter was sent to the Prime Ministry	72
Inspection and legal opinions	Number of filed requests	146
	Number of requests/motions that were decided upon and relevant entities corresponded with in their regard	121
	Under study	25
Repeal and retrial motions	Number of repeal motions filed	400 requests of which 350 were reviewed; the rest are still under study.
	Number of retrial motions filed	31 requests of which 26 were reviewed; the rest are still under study
Inspection over courts and judges	Number of judges covered in the inspection	226
	Number of inspected cases	9040
Complaints and grievances (complaints against judges)	Number of complaints and grievances filed against the judiciary	100
	Recommended to file a complaint/grievance	84
	Under study and investigation	16
Complaints and grievances (complaints against administrative staff)	Number of complaints filed against the employees	16
	Recommended to file the complaint	13
	Relevant entities corresponded with to take necessary measures	2
	Under study and investigation	1

1. Inspection Visits Carried Out in 2011:

The following table shows the number of inspections carried out by the Judicial Inspection Directorate in 2011. The results show that the inspection covered all the First Instance courts in all the governorates and which amount to 16 courts. In addition, Judicial Inspection functions covered all Conciliation Courts across the Kingdom, which amount to 50 courts. Inspection also included 52 departments of various specialization, including Investigation, Enforcement and Public Prosecution Departments. In terms of municipalities, Inspection visits covered 28 Municipality Courts in various governorates. In addition to the above, Judicial Inspection also covered: the two Income Tax Appeals Courts, the Customs First Instance and Appeals Courts, State Lawyer Assistants, a number of courts such as the Major Felonies Court, the Juveniles Conciliation Court, the Greater Amman Municipality Court, and the Lands Settlement Court. A total of 154 field inspection visits were carried out during 2011.

Field Inspection Visits in Amman Governorate

Various Courts	Departments	First Instance Courts	Conciliation Courts
1. Income Tax Appeals Court	1. Attorney General Department/Felonies	1. Amman First Instance Court	1. Amman Conciliation Court
2. Customs Appeals Court	2. Public Prosecution Department/Felonies	2. South Amman First Instance Court	2. South Amman Conciliation Court
3. Major Felonies Court	3. Public Prosecution Department/Amman	3. North Amman First Instance Court	3. Sahab Conciliation Court
4. Amman Municipality Court 5. Amman Municipality Public Prosecution	4. Amman First Instance Execution Department	4. East Amman First Instance Court	4. Al Jeeza Conciliation Court
6. Lands Settlement Court	5. South Amman First Instance Execution Department	5. West Amman First Instance Court	5. Al Muwaqar Conciliation Court
7. State Property Court	6. Public Prosecution Department/South Amman		6. North Amman Conciliation Court
8. Sahab Municipality Court	7. Public Prosecution Department/North Amman		7. East Amman Conciliation Court
9. Income Tax First Instance Court	8. North Amman First Instance Execution Department		8. West Amman Conciliation Court
10. Customs First Instance Court	9. Public Prosecution Department/East Amman		9. Naour Conciliation Court
	10. East Amman First Instance Execution Department		

	11. Public Prosecution Department/West Amman		
	12. West Amman First Instance Execution Department		
	13. State Lawyer Assistant/South Amman		
	14. State Lawyer Assistant/North Amman		
	15. State Lawyer Assistant/East Amman		
	16. State Lawyer Assistant/West Amman		

Field Inspection Visits in Zarqa Governorate

Various Courts	Departments	First Instance Courts	Conciliation Courts
11. Zarqa Juvenile Court	17. Public Prosecution Department/Zarqa	6. Zarqa First Instance Court	10. Zarqa Conciliation Court
12. Zarqa Municipality Court	18. Zarqa First Instance Execution Department		11. Ruseifeh Conciliation Court
13. Ruseifeh Municipality Court	19. State Lawyer Assistant/Zarqa		12. Azraq Conciliation Court
14. Azraq Municipality Court			

Field Inspection Visits in Salt Governorate

Various Courts	Departments	First Instance Courts	Conciliation Courts
15. Ain Al Basha Municipality Court	20. Public Prosecution Department/Salt	7. Salt First Instance Court	13. Salt Conciliation Court
16. Southern Shuneh Municipality Court	21. Salt First Instance Execution Department		14. Ain Al Basha Conciliation Court
17. Salt Municipality Court	22. State Lawyer Assistant/Salt		15. Southern Shouneh Conciliation Court
18. Deir Alla Municipality Court			16. Deir Alla Conciliation Court

Field Inspection Visits in Madaba Governorate

Various Courts	Departments	First Instance Courts	Conciliation Courts
19. Madaba Municipality Court	23. Public Prosecution Department/Madaba	8. Madaba First Instance Court	17. Madaba Conciliation Court
	24. Madaba First Instance Execution Department		18. Theiban Conciliation Court

Field Inspection Visits in Irbid Governorate

11

Various Courts	Departments	First Instance Courts	Conciliation Courts
20. Irbid Municipality Court	25. Irbid First Instance Execution Department	9. Irbid First Instance Court	19. Irbid Conciliation Court
21. Northern Mazar Municipality Court	26. Public Prosecution Department/Irbid		20. Northern Mazar Conciliation Court
22. Mu'ath bin Jabal Municipality Court	27. Irbid Attorney General Department		21. Northern Ghor Conciliation Court
23. Ramtha Municipality Court	28. State Lawyer Assistant/Irbid		22. Ramtha Conciliation Court
24. Deir Abi Saeed Municipality Court			23. Kura Conciliation Court
25. Juveniles Conciliation Court			24. Bani Kenana Conciliation Court
			25. Bani Obeid Conciliation Court
			26. Tiba Conciliation Court

Field Inspection Visits in Mafraq Governorate

Various Courts	Departments	First Instance Courts	Conciliation Courts
26. Mafraq Municipality Court	29. Public Prosecution Department/Mafraq	10. Mafraq First Instance Court	27. Mafraq Conciliation Court
27. Ruwaishid Municipality Court	30. Mafraq First Instance Execution Department		28. Northern Badia Conciliation Court
			29. Ruwaishid Conciliation Court

Field Inspection Visits in Jerash Governorate

Various Courts	Departments	First Instance Courts	Conciliation Courts
28. Jerash Municipality Court	31. Public Prosecution Department/Jerash	11. Jerash First Instance Court	30. Jerash Conciliation Court
	32. Jerash First Instance Execution		

Field Inspection Visits in Ajloun Governorate

Various Courts	Departments	First Instance Courts	Conciliation Courts
29. Ajloun Municipality Court	33. Public Prosecution Department/Ajloun	12. Ajloun First Instance Court	31. Ajloun Conciliation Court
	34. Ajloun First Instance Execution Department		
	35. State Lawyer Assistant/Ajloun		

Field Inspection Visits in Ma'an Governorate

Various Courts	Departments	First Instance Courts	Conciliation Courts
30. Ma'an Municipality Court	36. Public Prosecution Department/Ma'an	13. Ma'an First Instance Court	32. Ma'an Conciliation Court
31. Al Sharah Municipality Court	37. Ma'an First Instance Execution Department		33. Al Husseinieh Conciliation Court
32. Al Ash'ari Municipality Court			34. Wadi Musa Conciliation Court / Petra
			35. Shobak Conciliation Court
			36. Hasa Conciliation Court

Field Inspection Visits in Tafila Governorate

Various Courts	Departments	First Instance Courts	Conciliation Courts
33. Tafila Municipality Court	38. Public Prosecution Department/Tafila	14. Tafila First Instance Court	37. Tafila Conciliation Court
	39. Tafila First Instance Execution Department		38. Bsair Conciliation Court

Field Inspection Visits in Karak Governorate

Various Courts	Departments	First Instance Courts	Conciliation Courts
34. Karak Municipality Court	40. Public Prosecution Department/Karak	15. Karak First Instance Court	39. Karak Conciliation Court
35. Southern Ghor Municipality Court	41. Karak First Instance Execution Department		40. Southern Mazar Conciliation Court
36. Shiha Municipality Court			41. Al Qaser Conciliation Court
37. Mu'tah Municipality Court			42. Ay Conciliation Court
			43. Al Ghor Al Safi Conciliation Court
			44. Fagou' Conciliation Court

Field Inspection Visits in Aqaba Governorate

Various Courts	Departments	First Instance Courts	Conciliation Courts
38. Aqaba Municipality Court	42. Public Prosecution Department/Aqaba	16. Aqaba First Instance Court	45. Aqaba Conciliation Court
	43. Aqaba First Instance Execution Department		46. Quwaira Conciliation Court
			47. Jafer Conciliation Court

2. Judicial Inspection Directorate Plan: the Judicial Inspection Directorate defined its strategy for the coming year as follows:

First: There be two types of inspection:

1. **Programmed Inspection:** This relates to pre-scheduled Inspections, whereby the court is aware of the date of the Inspectors' visit. This type of Inspection aims at removing the negative aspects present at courts before the visit of Inspectors.
2. **Ad Hoc Inspection:** This relates to Inspections that are not scheduled in advance and aim at following-up on Inspections over courts with surprise visits. This makes courts constantly on alert to receive Inspectors, which affects its performance, quality and readiness for Inspection.

Second: Delay in the disposition of cases results in a delay of delivering people's rights in a timely manner. Judicial Inspectors cannot look into reasons of delay as long as the case is pending. The only case in which an Inspector can review a case is when there is a complaint filed by the aggrieved party, whether the plaintiff or the defendant, the complainant or complained against. This means that, in the absence of a complaint, the Inspector cannot review late cases and identify obstacles causing case delay. Inspectors should be allowed to access backlog/delayed cases and identify any reasons for delay and postponements and to prepare a report in this regard for submission to the concerned party.

Third: Some judges, including newly-appointed Conciliation judges, are forthcoming; often their behavior towards litigating parties lacks respect. From this perspective, the Directorate believes that the Inspector should attend court hearings while in-session and prepare a report to be submitted to the concerned person/entity, while redirecting the judge's behavior when necessary.

Fourth: Judicial Inspectors are not regularly present in courts. The role of the court's Chief Judge should then be activated in monitoring the performance of judges in terms of the starting and ending time of trials, the judge's relations with his/her colleagues, and the overall level of compliance with the Judicial Code of Conduct. The Chief Judge must also prepare a report and provide it to the Judicial Inspection Directorate covering each of the judges he/she supervises, provided that such report is based on actual events and in an objective manner. This report, in turn, would be taken into account when preparing the overall Inspection report concerning each judge.

Fifth: Activate recommendations made by the Inspector over the performance of a judge in terms of recommending courses to be organized by the Judicial Institute covering areas of weaknesses among judges that were detected during the I process and through auditing the case files; the recommendation should not only be used for purposes of promotion. The role of the Judicial Institute in this regard must be enhanced and provide appropriate programs for this purpose.

Sixth: Activate paragraph b of article 8 of the Judicial Inspection Regulations which stipulates that a copy of the Inspection reports must be provided to the judge subject to inspection in order for him/her to review it and avoid repeating the noted shortcoming(s) in the future.

Seventh: Work on amending the Judicial Inspection Regulations in line with these recommendations.

1.1.8 Challenges Facing the Development and Modernization of the Judicial Inspection Body

Among the main weaknesses of the Judicial Inspection system relates to the Judicial Inspection function falling under the Ministry of Justice, according to article 41 of the Judicial Independence Law. It is important to transfer Judicial Inspection to the Judicial Council and within the framework of the Judicial Authority. There are several other weaknesses, the most important of which are:

- Shortage of the number of Inspectors, whereby courts cannot be inspected more than once a year.
- Weak monitoring and accountability measures and responsiveness in dealing with errors.
- There is no full compliance among the Judicial Inspection body with the endorsed Judicial Inspection criteria covering the legal and behavioral aspects of judges.
- Lack of diversified and complementary specialization within the Judicial Inspection body.
- The endorsed Judicial Inspection criteria has not been developed and enhanced on an ongoing basis such that it remains congruent with the emerging and changing needs and requirements of the judiciary.
- The scope, mandate and authority of the Judicial Inspection is limited.
- Low level periodic and surprise (ad hoc) field visits to inspect judges and courts, in terms of quantity and quality.
- Judicial Inspection is only linked to promotion.
- No accountability departments to assess the work of registrar offices at courts.
- Absence of monitoring by the Court of Appeal over the work of First Instance Courts.
- The Chief Judge has no role in the performance evaluation of judges.
- Weak application of the Judicial Code of Conduct.
- Electronic monitoring and periodic review of case results, in terms of new cases, cleared cases and pending caseload, is not activated.

1.1.9 Opportunities for the Development and Modernization of the Judicial Inspection Body

Among the opportunities available for improving the performance of Judicial Inspection is the availability of high competence among the members of the Judicial Inspection body, and the high flexibility for improving and developing the standards and criteria governing the inspection such that they are in-line with emerging circumstances and developments related to the diversity of judicial specializations. Other opportunities include:

- The 2012-2014 Strategic Plan focuses its objectives on enhancing the work of the Judicial Inspection Directorate and developing its work methodology through two programs: the Legislation Program and the Human Resources and Capacity Building Program.
- Training programs targeting Inspectors are available and Inspectors are enrolled in them regularly and based on needs.
- The high level of competence, experience and integrity among members of the Judicial Inspection body guarantees accuracy in judging performance.
- Availability of an automated system that assists Inspectors in conducting their Inspection functions over the work of judges.
- The presence of criteria that govern the work of the Judicial body and based on which performance is assessed.

1.1.10 Future Aspirations for the Development and Modernization of the Judicial Inspection Body

Future aspirations for improving the performance of Judicial Inspection include affiliating it with the Judicial Council in the Judicial Authority Law and to expand the role of the Chief Judge in Judicial Inspections as a resident and full-time inspector in courts. Other areas for improving and developing Judicial Inspection performance include:

- Develop a new strategy for Judicial Inspection, based on constant monitoring and supervision, and activate the principle of self-monitoring.
- Provide the Judicial Inspection Directorate with highly-experienced and competent judges in various specializations who are known for their integrity and impartiality.
- Continuous evaluation of the performance of the Judicial Inspection body to identify areas of weakness and address them.
- Develop a mechanism to verify complaints filed against judges through field inspections.
- Instill a culture based on the premise that the objective of Judicial Inspection is to advise and enhance confidence in ones self and the judiciary; it is not a tool for punishment. It is a tool for providing guidance and direction.
- Diversify specializations of Judicial Inspection and that of judges.
- Develop Judicial Inspection criteria as well as the monitoring, accountability and performance evaluation of inspectors, based on scientific principles and criteria.
- Link judicial inspection to the promotion of judges.
- Give the Chief Judge of a court a broader role in assessing Judicial Inspection and training him/her to become a resident inspector at courts.

- Develop and activate electronic monitoring and periodic inspection and monitoring of Inspection results.

1.4 Judicial Institute of Jordan

The Judicial Institute of Jordan is the official academic institution in the Kingdom responsible for qualifying candidates with legal background to assume judicial posts. It is also responsible for raising the competence of judges and court staff through continuous training to keep them informed of the latest legal, technical and procedural developments related to their work that are in accordance with best international practices. The Judicial Institute of Jordan was established pursuant to the Judicial Institute of Jordan Law No. 3 of 1988 which continued to be in force until the issuance of the Judicial Institute of Jordan Regulation No. 68 of 2001 and its amendments pursuant to Regulation No. 68 of 2005.

The Judicial Institute works on developing scientific research skills, the exchange of expertise, and technical and academic cooperation between the Institute and various legal and judicial institutes, establishments and entities regionally and internationally; the Judicial Institute contributes plans and strategies aimed at enhancing the performance level of the Jordanian judiciary.

The Judicial Institute translates its objectives through the Judicial Studies Diploma Program, a two-year program after which students are given a diploma certificate that qualifies him/her to assume judicial posts in the Hashemite Kingdom of Jordan.

It also is responsible for the Continuing Legal Education Program that is implemented based on an annual training plan. This plan is prepared by specialists at the Institute, based on the results of a training needs assessment survey and recommendations of the Judicial Inspection Directorate, resulting from periodic assessments carried out by the Directorate over judges across different levels.

The Continuing Legal Education Program focuses on modern ways of litigation, emerging legal matters, new legislative amendments and relevant procedures and applications among others.

1.4.1 Judicial Institute of Jordan Achievements in 2011

The Judicial Institute of Jordan was able to make great strides which enabled it to become a scientific

and training icon forging established partnerships with Arab and foreign judicial institutes through important scientific agreements that have helped build bridges of judicial cooperation with regional and international countries. The Judicial Institute's achievements this year fulfilled its objectives and work programs as follows:

First: Judicial Studies Diploma Program (preparatory training):

This is a highly important program because it prepares and trains future judges. For this reason, emphasis has been placed on properly and adequately preparing judges scientifically and practically in order to develop and hone their knowledge, enhance their legal skills and instill the meanings, values and traditions of the judiciary in students.

The study plan that was applied this year came in line with this and congruent with developments and advancements being witnessed. New training courses were introduced whereby emphasis became more on analytical studies and practical application in courts as opposed to theoretical training.

- 71 students graduated from the 16th class, of which 10 were seconded by the Palestinian National Authority.
- 61 diploma students from the 17th class are currently enrolled in the 2011–2012 scholastic year.
- In 2011, the Institute held several activities for its Diploma Program students from both the 16th and 17th year classes that included seminars, lectures, workshops and training programs.

Second: Continuing and Specialized Legal Education Program

This program is considered among the main programs that the Institute carries out for judges and public prosecutors to be kept current with recent developments in the legal and judicial spheres. Its importance stems from the fact that its outcomes are reflected in judges' way of thinking ; it is important that judges remain abreast with the new and recent legal amendments and technological advancements. Additionally, the Institute held courses for the administrative staff which constitutes an integral and complementary component of the judiciary. The Institute always seeks to develop and update these programs.

Third: Local, Regional and International Cooperation

The Judicial Institute entered into several judicial cooperation memoranda with Arab and international entities. This comes in line with the policy of the Institute that aims at prompting such cooperation and benefiting from the experience of fellow countries and exchanging knowledge with them. Accordingly, the Institute entered into a number of agreements and Memorandums of Understanding in the field of judicial cooperation and training in 2011 and organized workshops for visiting delegations as follows:

1. Memorandums of Understanding Signed with the Framework of Arab and International Cooperation

- Euro–Arab Network Agreement for cooperation in the field of judicial training among a number of Arab and European countries. Jordan was selected to be the base for the network as well as its chair.
- The Institute signed a Memorandum of Understanding for technical cooperation among a number of Arab countries and the Raoul Wallenberg Institute of Human Rights and Humanitarian Law in Sweden to cooperate in the field of international judicial standards.
- Memorandum of Understanding between the Judicial Institute of Jordan and the Higher Judicial Institute in the Kingdom of Saudi Arabia.

2. Seminars and Workshops Held Within the Framework of Local, Regional and International Cooperation

Within the framework of local, regional and international cooperation, the Judicial Institute held and participated in several functions and activities that are listed below:

- The Judicial Institute of Jordan, in cooperation with the Raoul Wallenberg Institute of Human Rights and Humanitarian Law and with support from the Swedish International Development Agency (Sida), held a high-level meeting for directors of judicial institutes in the Middle East and North Africa region.
- With the framework of cooperation between the Ministry of Justice/the Judicial Institute of Jordan and the Embassy of France in Amman and the National Judicial College in France, two college students were accepted into the Institute whereby a one–month training program was organized for them in the First Instance courts, the Attorney General and Public Prosecution Departments and the Appeals Court.
- Euro–Arab Network for Judicial Training meeting in Amman on 5/ 10/ 2011.
- Four seminars and workshops were held for law school students in cooperation with the Judicial Institute of Jordan, the Arab Women Legal Network (AWLN) and the American Bar Association (ABA).
- A workshop was held for judges on Family Integration and Local Communities.
- A specialized training program was held for newly-appointed female judges in cooperation with the Judicial Council, the Arab Women Legal Network and the American Bar Association.
- A seminar was held for judges and Public Prosecutors on the relation between the Public Prosecution and the Judicial Police. The Seminar was held in cooperation with the Embassy of France in Amman and the National Judicial College in France.

3. Visiting Delegations to the Institute to Learn About its Experience in Judicial Training

Several delegations from Arab and international countries visited the Judicial Institute of Jordan to learn about its experience in judicial training. Following is a summary of the list of visiting delegations and the objective of each visit:

- A delegation from the American Bar Association visited the Judicial Institute of Jordan; the visiting delegation listened to a presentation by the Institute's director on the activities and achievements of the Judicial Institute. Discussions were held about the prospects and mechanisms of future cooperation.
- A delegation of members of the Board of Directors of the National Center of Independent Legal Studies from the Islamic Republic of Afghanistan visited the Judicial Institute to learn about the achievements and activities of the Institute as well as its work mechanisms and training programs, covering all training tracks including the preparatory training, and the containing and specialization training programs. A visit to the Minister of Justice was also arranged as well as a visit with the Chief Justice. Furthermore, field visits to the Public Prosecution before the Court of Cassation, the Public Prosecutor before the Amman Court of Appeal, Sharia Courts Department, law schools, and the Dean of the Faculty of Sharia at the University of Jordan were also organized.
- Within the framework of cooperation between the Ministries of Justice in the Kingdom of Saudi Arabia and the Hashemite Kingdom of Jordan, a delegation from the Ministry of Justice in the Kingdom of Saudi Arabia, headed by Chief Judicial Inspector of the Supreme Judicial Council, visited the Institute to learn about the Jordanian experience in the enforcement of court decision in civil cases, from both the theoretical and practical standpoints. The Institute also organized a scientific program for the delegation that included a lecture on the Judicial Enforcement Law in Jordan and Saudi Arabia.
- A delegation from the law school at Yarmouk University visited the Judicial Institute to learn about its programs and plans.

Fourth: Institutional Development and Capacity Building of the Judicial Institute

To maintain the policy of "modernization and development" adopted by the Ministry of Justice, and in keeping in line with the 2012-2014 Strategic Plan of the judiciary, the Judicial Institute worked on the institutionalization of the new organizational structure which was endorsed by the Institute's Board of Directors, through assigning Institute staff to varied departments according to job titles listed in the revised structure. A procedures guide was also developed that covers operating procedures of all departmental units of the Institute.

Fifth: Achievements in Statistics and Numbers

- **Graduates of the 16th Year Class:** 71 students graduated from the 16th year class; 30 graduates (42.3%) were male and 41 graduates (57.7%) were female. The 16th year class also included 17

graduates from tracks 1 and 2 of the Future Judges Program. The Institute also admitted 10 students that were seconded by the Palestinian National Authority.

Distribution of 16th Year Graduates According to the Different Categories

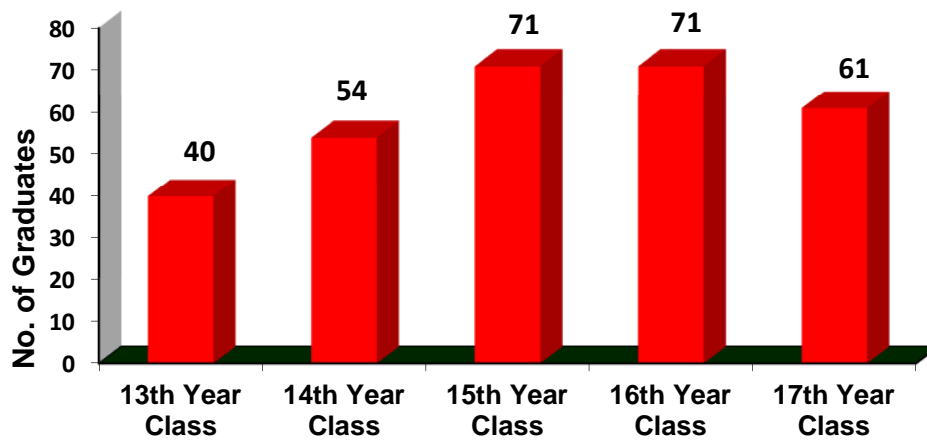
No. of Top University Graduates	No. of Clerks	No. of Lawyers	Future Judges Track (1)	Future Judges Track (2)	No. of Students Seconded by the Palestinian National Authority
24	7	13	10	7	10

- **Graduates of the 17th Year Class:** 61 students graduated from the 17th year class; 30 graduates were male and 31 graduates were female. The 17th year class included several categories of students: thirteen (13) of the graduates were from among the top graduates of Jordanian universities, thirty one (31) were lawyers, six (6) were from the Future Judges Program students with LLB from public universities, and four (4) were from the same Program who obtained LLMs from British universities.

Distribution of 17th Year Graduates According to the Different Categories

No. of Top University Graduates	No. of Clerks	No. of Lawyers	No. of Future Judges Program Students (LLM graduates from Britain)	No. of Future Judges Program Students (LLB graduates from Public Universities)
13	7	31	4	6

Distribution of the Judicial Institute's Graduates According to Class



Training courses for year 1 and year 2 JIJ students sitting for the Diploma Program: The following table shows the number of participants in the lectures and training programs from the JIJ amounted to 174. It also shows that the program was held 7 times. The highest percentage of participation pertained to a lecture on Evidence Law, whereby a total of 62 students, representing 35.6% of total participants, attended the course. A total of 46 students, representing 26.4% of total participants, attended lectures on media cases and the protection of the freedom of journalists. Also, 37 students, representing 21.3% of total participants, attended the lecture on the legal system in Australia. 22 students, (12.6%) of the total number of participants, from both the first year and second year students, participated in the specialized seminar on "Protection of Intellectual Property".

Type of Seminars and Training Courses for 1st and 2nd Year Diploma Program Students Held in 2011

Course	No. of Times the Course was Held	No. of Participants	% from Total Number of Participants
Workshop on "Legislation Development" – National Council for Family Affairs	1	1	0.6
Discussion Session on "Mitigating Factors in Murder Cases Related to Honor Killing"	1	2	1.1

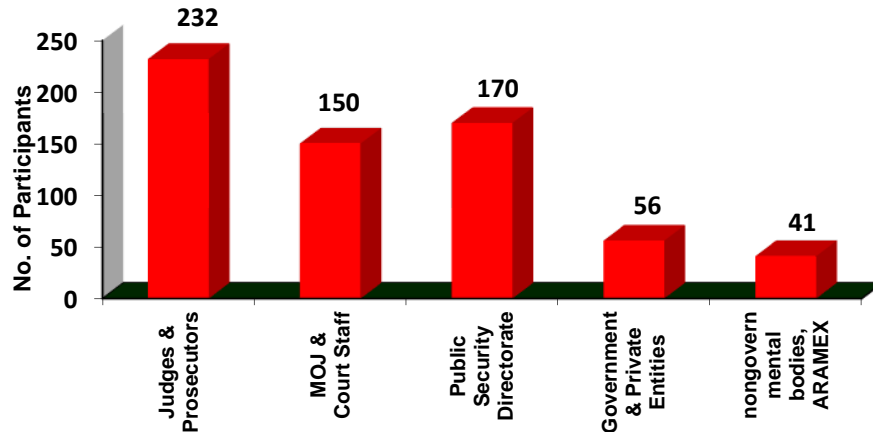
Awareness Workshop on the Services of the Interpol – Police Academy	1	4	2.3
Lecture on Specialization in Media Cases and the Protection of the Freedoms of Journalists	1	46	26.4
General Introduction Lecture on the Legal System in Australia	1	37	21.3
Specialized seminar on “Protection of Intellectual Property”	1	22	12.6
Evidence Law	2	62	35.6
Total Number	7	174	100.0

• **Participants in Continuing Education Program Courses:** Approximately 649 judges and court staff participated in the Continuing Education Training Program, whereby some participants attended more than one training course. A total of 232 judges and public prosecutors, accounting for 35.7% of participants, attended the courses. Also, a total of 150 court staff and Ministry of Justice employees, accounting for 23.1% of participants, attended the courses organized through the Continuing Education Program. In addition, 170 (26.2%) participants from governmental entities (The Public Security Directorate) attended courses delivered by judges, and 56 participants from other governmental entities and the private sector enrolled in the courses of judges and public prosecutors, representing 8.6% of participants. The balance were participants from the government bodies (the Licensing Department) and ARAMEX, totaling 41 participants, 6.3% of total participants.

Total Number of Participants in Continuing Education Courses Distributed According to Target Group

Participants	No. of Participants	% from Total Number of Participants
Judges and public prosecutors	232	35.7
Regular courts staff and Ministry of Justice personnel	150	23.1
Governmental bodies (public security department) participating in judges courses	170	26.2
Other governmental bodies and private entities) participating in judges courses	56	8.6
Governmental bodies (Licensing department, ARAMEX) participating in staff courses	41	6.3
Grand Total	649	100.0

**Total Number of Participants in Continuing Education Courses Distributed
According to Target Group**

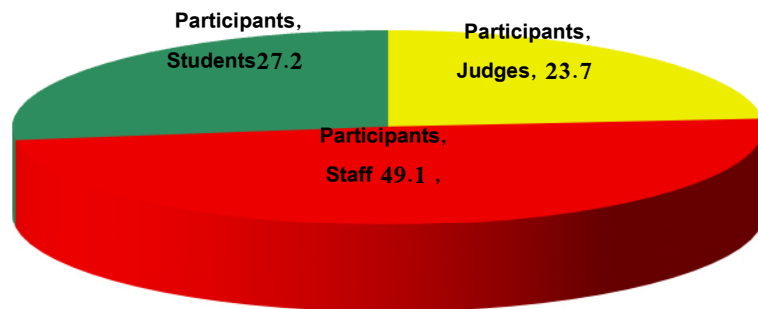


Female participants in Continuing Education Courses: Alongside their male counterparts, a total of 232 female participants attended the Continuing Education Courses. Of the 232 participants, 55 were judges, representing 23.7% of total female participants; 114 participants were from courts and the Ministry of Justice, representing 49.1% of female participants, and 63 were students, accounting for 27.2% of total participants. It must be noted here that some participants attended more than one course.

Total Number of Participations on Continuing Education Programs According to Target Group

Participations	Number	% from Total Number of Participants
Total number of female judge participation	55	23.7
Total number of staff participation	114	49.1
Total number of student participation	63	27.2
Grand Total	232	100.0

Distribution of Female Participants in Continuing Education Courses Distributed According to Target Group



- **Distribution of participants according to the three regions:** A total of 394 participants, both male and female judges, prosecutors, court staff and Ministry of Justice employees, participated in the Continuing Education Program from the various regions. A total of 380 participants, of which 222 were male and 158 were female, participated from the central region; 14 participants, 8 males and 6 females, all of which were court staff and Ministry of Justice employees, participated from the southern region. There were no participants from the northern region.

- **Number of Continuing Education Program courses:** The number of courses implemented through the Continuing Education Program was 32 courses, 14 of which were for judges and public prosecutors, representing 43.8% of the total number of courses. These courses targeted judges and public prosecutors were distributed over the three regions of the Kingdom. Ten courses were held in the central region, and two courses were held in each of the northern and southern region. Additionally, six (6) courses were organized for court staff and Ministry of Justice employees, five of which were held in the center and one in the south. Furthermore, nine (9) courses were held for the Public Security Directorate, and three specialized courses were held for employees from the Licensing Department and ARAMEX.

Distribution of the Number of Continuing Education Program Courses According to Target Group

Continuing Education Program Course	Number	% from Total Number of Participants
Continuing education program courses for judges and public prosecutors	14	43.8
Continuing education program courses for court staff and Ministry of Justice personnel	6	18.8
Continuing education program courses for governmental bodies	9	28.1

Continuing education program courses for other than Ministry of Justice staff (Licensing Department, ARAMEX)	3	9.3
Grand Total	32	100.0

1.4.2 Challenges Facing the Institutional Development and Capacity Building of the Judicial Institute

Among the key challenges that face the Judicial Institute of Jordan is that it falls under the ambit of the Ministry of Justice, which must be changed such that it becomes attached to the Judicial Council within the Judicial Authority Law. There are several other challenges, including:

- Weak infrastructure of the Judicial Institute of Jordan.
- Incompatibility between the training course and the career path for both judges and staff.
- Absence of an appropriate mechanism for programs to meet the training needs of judges and staff.
- Absence of clear standards and criteria for the selection of judges to train at the Judicial Institute of Jordan.
- Absence of a clear, structured and comprehensive training manual.
- Weak emphasis on the practical aspect in the training plan of the Institute, as it is not continuously revised and developed.
- Lack of implementation of seminars and lectures inside courts on court operations, their role, their opportunity and uniqueness.
- Lack of training programs focused on developing and enhancing the capacity of support staff at courts.
- Weak integration of judges in teaching at law faculties in Jordanian universities.

1.4.3 Opportunities for the Institutional Development and Capacity Building of the Judicial Institute

The key opportunities related to developing the performance of the Judicial Institute of Jordan is its high ability to attract more candidates with exceptional qualifications to study at the Institute and qualify them through the Future Judges Program. There are other opportunities for developing the work of the Institute such as:

- The 2012-2014 Judicial Authority Strategy emphasized in its goals and objectives enhancing the institutional capacity of the Judicial Institute through two endorsed programs, the Training and Specialization Program and Human Resources and Capacity Building Program.
- Presence of a number of preparatory and Continuing Education Programs designed for new and old judges, with emphasis on modern litigation techniques, emerging legal topics and the Judicial Studies Diploma Program.
- Judges participate in teaching students at the Judicial Institute of Jordan.

- Existence of specialized training programs for old and new judges aimed at enhancing their skills and staying abreast with scientific advancements in the field of legal jurisprudence.

1.4.4 Future Aspirations for the Institutional Development and Capacity Building of the Judicial Institute

Future goals include the attachment of the Judicial Institute of Jordan to the Judicial Council within the framework of the Judicial Authority Law, development of a clear, structured and comprehensive training manual that organizes the training process in a methodological way, starting from defining training needs, selecting training material, trainers, and the evaluation of training programs. Additionally, the following is necessary for the JIJ:

- Develop training programs that meet the training needs of judges and staff, and that are designed based on the results of a training needs assessment study.
- Develop scientific criteria for selecting candidates to enroll at the Judicial Institute as well as trainers to teach at the Institute.
- Develop a mechanism to conduct training inside courts.
- Develop programs to integrate judges in the educational process at law schools in Jordanian universities.

1.5 Administrative Units That Support the Judicial Council

The regulation pertinent to the Administrative Units that fall under the Judicial Council was issued pursuant to article 45 of the Judicial Independence Law No. 15 of 2001. The organizational structure of these units is comprised of the Judges Affairs Unit, the Training and Specialization Unit, and the Planning and Development Unit. The regulation was amended and endorsed by the relevant entities whereby amendments included the addition of a general secretariat for the Judicial Council that supervises and manages the development of the Strategic Plan for the Judicial Authority and the training of its staff.

1.5.1 Achievements of the Judicial Council's Administrative Units

The aim of establishing the Administrative Units is to support the Judicial Council in carrying out its functions related to media and to respond to the decision of the Chief Justice to prepare a strategy for building and strengthening the Judicial Authority in the coming three years, and which reflects the vision of His Majesty and the directives of the Chief Justice. The directors of the Judicial Council Units and their staff started to hold a series of meetings; the outcome was a joint work plan to prepare the Strategy of the judiciary. Following is an overview of the main achievements of the Administrative Units:

- **Administrative Units Offices:** Fully-equipped offices were established for the Administrative Units and the Amman Palace of Justice; they were supplied with electronic equipments and a legal library.

- **Training Courses:** A training course was held for the directors and staff of the Administrative Units at the Judicial Council on the concepts, importance, objectives and mechanisms of strategic planning. The training covered the definition of analysis methodologies of the status quo of the judiciary, vision and mission formulation, setting of strategic objectives and sub-objectives, setting performance indicators and developing an operational plan (implementation plan) to achieve their goals. The training was conducted by strategic planning experts over five days, covering 30 hours of training.
- **Presenting Strategic Planning Concepts to Judges:** The concepts and principles of strategic planning were presented to judges in a workshop that was delivered by a strategic planning expert.
- **Analysis of Past Years' Strategic Plans:** A full and comprehensive analysis of strategic plans implemented over the past years was conducted. This was achieved through distributing two questionnaires among decision makers within the judiciary during a workshop which gathered them all to review the vision, mission, and strategic pillars and objectives of past strategies and decide on whether they are still valid and appropriate in light of the new developments reflected in the vision of His Majesty. The workshop also aimed at discussing suggestions and alternatives for keeping pace with these new developments and to identify areas of strengths, weaknesses, opportunities and threats pertinent to the judiciary through the SWOT analysis.
- **Workshop to Discuss the Broad Outline of the Strategic Plan:** A workshop was held to endorse the vision, mission and main pillars of the strategic plan by the senior management within the judiciary and to develop the broad goals that will be used as a base for building the strategic plan for the coming three years.
- **Needs Assessment Study of Courts:** A standardized questionnaire was used in conducting the assessment and targeted all judges across different levels. The aim of the study was to identify the size of the gap between the status-quo and the objective needs of courts that enable them to carry out their functions. This step was undertaken in preparation for bridging the gap through the 2012-2014 Strategic Plan.
- **A Courts Needs Assessment Workshop:** A two-day workshop was held for all Chief Judges of First Instance and Appeals Courts in Jordan during 24–25/9/2011 during which a questionnaire was distributed among participants that was analyzed to define the needs of courts, learn about the problems and challenges that face them, as well as the possible areas of opportunities for improving the performance of judges in their courts and advance the judiciary in achieving efficient justice.
- **Collaborative Planning and Participatory Approach:** The Administrative Units at the Judicial Council adopted the participatory approach in drafting the vision, mission and the objectives of the Judicial Authority's Strategic Plan. This was achieved by involving decision makers within the judiciary in the planning process which included Judicial Council members, Chief Judges and attorney generals. The Administrative Units also focused on institutionalizing work, building capacity and adequately staffing the units, enhancing communication channels between the

Judicial Council and the Chief Judges, attorney generals and Administrative Units to institutionalize work and build real and effective partnerships with relevant stakeholders.

- **Preparation of the 2012-2014 Judicial Authority Strategic Plan (the Strategy of Building):** The first part of the Judicial Authority Strategic Plan covers the methodology that was adopted in preparing the Strategic Plan and the outcome of status quo analysis of the judiciary over the past years. The second part included the vision, mission, main pillars and objectives, and the key implementation programs and activities pertinent to the Judicial Authority's Strategic Plan.
- **Preparation of the Implementation Plan for the Judicial Authority Strategic Plan:** Six programs were adopted in preparing the implementation plan under which several activities that help achieve the objectives of the strategy were set. These programs include: Legislation Program, Training and Specialization Program, Human Resources and Capacity Building Program, Studies, Research, Planning and Evaluation Program, Communications Program, and finally the Awareness and Education Program.
- **Development of the Strategic Implementation Plan:** Six main programs were used in developing the implementation plan pertinent to the Judicial Authority Strategy, which included several activities that help achieve the objectives. These programs including the following: legislation program, training and specialization program, human resources and capacity building program, studies, research, planning and evaluation program, communications program, and finally the awareness and education program.
- **Held a Workshop on Two-level Administrative Judiciary:** A two-day workshop was held during 19–20/11/2011 that was attended by: members of the Judicial Council, Court of Higher Justice judges, Attorney General Department judges, Directors of the Administrative Units of the Judicial Council, and university professors and academia. To benefit from the experience of Egypt in this field, the Judicial Council invited the advisor and Vice-President of the State Council of Egypt who supervises the Administrative and Disciplinary tribunals, and is a member of the Special Council of the State Council in Egypt, in addition to a judge from among the judges specialized in Administrative Judiciary. The aim of the workshop was to prepare a draft law for establishing a two-level Administrative Judiciary. The workshop included several activities: dissemination of a questionnaire to identify the views and opinions of attendees and open discussion on the formation and jurisdiction of the First Instance Administrative Court, the Court of Higher Justice and the Public Prosecution before the Administrative Judiciary, as well as endorsement of a draft law for a two-level Administrative Judiciary.
- **Activities for Preparing the Judicial Authority Law:** To complete work on endorsing the draft Judicial Independence Law, several activities were carried out, including: the distribution of a questionnaire among all judges across the Kingdom to solicit their opinions and views on the Judicial Authority Law; questionnaire results were analyzed and used in developing the draft law; a two-day workshop on the Judicial Authority Law was held during 21–22/12/2011 that was attended by the Chief Justice, Judicial Council members, Cassation Court judges and Administrative Units directors during which the pillars and components of the Judicial Authority Law were discussed and a draft law was endorsed.

- Other activities, such as the issuance of a bulletin covering affairs related to the judiciary, preparation of a media strategy plan, developing rules that govern the process of publishing, holding workshops related to increasing the efficiency of the litigation process, revision of the Enforcement Law and reasons of case delay, revision of the Civil Procedures Code and the Criminal Procedures Code, among others.

1.5.2 Challenges Facing the Work of the Administrative Units

The main challenges facing the Administrative Units is the lack of qualified and full-time personnel working at the Administrative Units, and weak coordination among the Units and with the other entities falling under the Judicial Council. Several other challenges include:

- Weak training programs targeting Administrative Units staff in all topics.
- The Administrative Units are not connected to the “Judges Affairs Automated System”.
- The Judges Affairs System currently in place is not in line with developments.
- Lack of exchange programs with advanced countries in this area.
- Weak awareness among judges about the role of the Administrative Units within the Judicial Authority.

1.5.3 Opportunities for Developing the Performance of the Administrative Units

The main opportunities related to developing the performance of the Administrative Units relate to the presence of a work plan for said units, and the integration and alignment of such plans with the Judicial Authority’s plan, in terms of objectives, programs and activities. There are other opportunities such as:

- The existence of preparatory and development training programs for Administrative Units staff.
- The objective and transparent methodology adopted by the Administrative Units in selecting judges for participating in workshops and seminars.
- The existence of an automated system for the Judges Affairs Unit.

1.5.4 Future Aspirations for Developing the Performance of the Administrative Units

The main future aspirations pertinent to the Administrative Units functions relate to their participation in implementing the activities outlined in the Strategic Plan and following up on and assessing the implementation progress of the Strategy’s programs, based on the performance indicators outlined in the plan. In addition, there are several other future goals:

- The Administrative Units handle the assessment of all programs implemented by the Judicial Council to identify the level of achievement of the Strategy’s objectives according to the endorsed performance indicators.
- Allocate a number of capable personnel to work full-time at the Administrative Units to support the Judicial Council in carrying out the functions and responsibilities assigned to them.

1.6 Technical Office at the Court of Cassation

A Technical Office at the Court of Cassation was established pursuant to Regulation No. 7/2010 that became in force on 18/4/2010 and that was issued according to article 12 of the Regular Courts Formation Law No. 17 of 2001 and the Judicial Council's decision following the seconding of a Cassation Court judge as its dDirector, as well as four judges to work at the Office.

1.6.1 Achievements of the Technical Office

The Technical Office started to carry out its duties in March 2011 after the Court of Cassation moved to its new location. Establishment works of the Technical Office were completed and seven legal researchers and a number of editors were hired to work at the Office. The Technical Office was provided with all equipment and supplies needed for its operations, after which it started to carry out the functions mandated to it under the provisions of the Regulation.

The Technical Office provides legal, technical and administrative support to the Court of Cassation. It also classifies cases and motions filed before in order to distribute them among judicial chambers according to specialization. Furthermore, it provides judicial chambers with the needed legislation, past judgments and precedents related to each case according to its type and subject matter, as well as any legal studies and research it may need. In addition, its functions include drawing legal principles based on the decisions and judgments issued by the Court of Cassation and classifying them as well as undertaking necessary measures to facilitate their publication. Another function pertains to analyzing judicial precedents, and providing the necessary studies and opinions in their regard to the President of the Court of Cassation, which would contribute to the establishment of legal principles. Furthermore, it provides courts with the legislation and legal precedents that the Director perceives as necessary to be disseminated as well as any other functions or tasks assigned by the Judicial Council or the President of the Cassation Court.

From March–December 2011, inclusive, the Technical Office:

- Reviewed and audited civil cases registered at the Court of Cassation, which amounted to a monthly average of 390 cases, in terms of fulfilling the requirements for appeal, and the acceptance of such appeals in terms of form.
- Prepared written reviews on 195 appeals before the Court of Cassation that were rejected in form and prepared a list covering said cases and presented it to the Chief Justice who, in turn, distributed them among judicial chambers in order to reduce litigation time.
- Classified similar cases; the ones that included new legal points for distributing them among specialized chambers after having conducted necessary legal studies in order to avoid contradictory decisions or rulings.

- Prepared 72 legal studies assigned by the Chief Justice and Court of Cassation judges.
- Provided court judges with judicial precedence issued by the Court of Cassation as well as legal jurisprudence, upon their request.
- Provided judges with new or amended legislation upon their publication in the Official Gazette.
- Prepared a detailed memo of all permissions to appeal a judgment before the Court of Cassation that included relevant legal articles and Cassation Court precedents.
- The decisions of the General Assembly of the Court of Cassation that included new precedents were distributed, some of which were published in the Judicial Bulletin.
- Compiled the Court of Cassation judgments, summarized reasons of appeal and edited judgments after their typing.
- Contacted a number of Arabic websites to identify recent legal jurisprudence and judicial precedence published on the web.
- Archived and automated all judicial decisions issued by the Court of Cassation since its establishment.

The Technical Office carried out these functions according to available resources. It aims to be provided with additional judges, legal researchers and auditors as well as legal references and jurisprudence to enable it to carry out its full mandate and tasks and support all of the specialized chambers at the Court of Cassation. This will reduce the workload of Cassation Court judges and will be reflected positively in the clearance rate and time of cases before said court and unify judicial jurisprudence.

1.6.2 Challenges Facing the Performance Improvement and Development of the Technical Office at the Cassation Court

The main challenges related to enhancing and developing the performance of the Technical Office pertains to the weakness in the performance system of courts. There is no system that provides scientific indicators that reflect the needs of data users. There also is a lack of a mechanism for automating data and auditing them electronically and in the field in order to reconcile data, particularly in relation to pending cases that are carried over at the end of each month and each year.

On the other hand, no periodic assessment of the information system is conducted which helps identify its areas of strengths and weaknesses, the size of the informational gap and the accuracy of data available at the Technical Office of that generated by the automated case management system (MIZAN) in order to bridge it. Furthermore and in addition to the aforementioned challenges, other challenges which affect the work and performance level of the Technical Office are:

- The limited number of qualified judges with diverse specializations working at the Technical Office. This weakens the legal, technical and administrative support provided to the Court of

Cassation as well as the capacity of the Office to provide courts with legislative and legal precedents.

- The number of periodic publications and legal research papers and studies conducted is few and limited as well as the shortage of legal references and books that include latest legislation and legal precedents.
- Lack of a realistic annual implementation plan that specifically outlines the tasks, responsibilities, implementation timeframe, and required budget necessary for their implementation.

1.6.3 Opportunities for the Institutional Development and Capacity Building of the Technical Office at the Cassation Court

The main opportunities available before the Technical Office include the provision of qualified judges and staff possessing relevant knowledge and expertise. In addition, providing the Technical Office with a management information system covering the operations of courts and their performance and which would help in evaluating and assessing their achievements. Among the other main opportunities is the availability of a main objective within the Strategy covering the coming three years (2012 – 2014) which aims at developing and strengthening the Technical Office to carry out the tasks assigned to it competently and effectively and which will be achieved through two programs: the Legislation Program and the Capacity Building and Human Resources Development program.

1.6.4 Future Aspirations for Developing the Performance of the Technical Office at the Cassation Court

Future aspirations pertaining to developing the capacity of the Technical Office relate to assisting it develop an annual work plan that includes: updating and modernizing the management information system related to court operations, improving data collection methodologies, automate data collection processes, and perform electronic and field quality audits through unified electronic forms and through the web that are linked in real time to the data center and that would be used by courts in entering data. Additionally, the plan will include:

- Establish a mechanism to coordinate the integration of information from the MIZAN program and the Technical Office data and bridge the gap between them.
- Allocate a dedicated budget to the Technical Office to provide its library with updated legal books, publications and studies issued by various sources.
- Issue a periodic scientific bulleting that publishes legal researches, studies and legislations as well as legal precedents.

1.7 State Lawyer Department

Article 16 of the Regular Courts Formation Law stated that the State Lawyer shall prepare an annual report covering the achievements and performance of the State Lawyer Department and the progress of cases in which it represents the government as well as enforcing cases in favor of the government's treasury. According to the same article, the report must be submitted to the Minister of Justice who in turn submits it to the Council of Ministers at the end of December of each year.

For several decades, the Public Prosecutor assumed the responsibility of representing, defending and litigating on behalf of the government in civil cases in which it is involved. The Public Prosecution shouldered this task pursuant to the provisions of Government Cases Law No. 25 of 1958, and its amendments, in addition to its responsibilities pertaining to fighting crime in order to maintain the safety and security of society. It is for this reason that it makes the department unable to handle the major responsibility of representing and defending the government in treasury-related cases and safeguard the public's money.

Based on the interest of Jordanian legislators to safeguard and protect public funds from being wasted, a State Lawyer Department was established pursuant to Law No. 13 of 1994. The Department was established and full-time judges and staff were assigned to preserve and protect public funds. Confining litigation and defending public funds related in cases in which the government is a party to such a case and leaving this to be handled by a specialized body will lead to the protection of treasury rights, proper litigation procedures, timely resolution of cases and expedited enforcement of judgments issued in favor of the government, which is considered a qualitative and quantitative achievement.

The State Lawyer Department is headed by a civil judge of the highest degree and is supported by assistants who represent the government before courts in civil cases, whether held by or against the government. They also handle the execution of cases at the courts' Execution Departments whose outcome is in favor of the treasury.

At the beginning, a few assistants were assigned to work at the central department in Amman. In mid 2005, the number of assistants reached 8 and later dropped to 7 in 2007.

After studying the work conditions and the size of government-related cases adjudicated before courts across the Kingdom, and out of keen interest in preserving the rights and the treasury, despite suffering

from a shortage of judges, from the end of 2011 to the beginning of 2012, the Judicial Council appointed assistants to the State Lawyer Department in all First Instance courts in the Kingdom.

The State Lawyer Department consists of a number of judges who adjudicate and defend government cases before courts across the Kingdom. In 2011, 11 assistants were assigned to the central department in Amman. Said assistants try treasury cases before the Amman Court of Appeal, the Amman First Instance Court and the Amman Conciliation Court; they also follow-up on the execution of cases at the Execution Department in Amman's First Instance Court. A total of 23 assistants at the State Lawyer Department in Amman handle government-related cases and the enforcement of judgments issued in favor of the government before 16 courts.

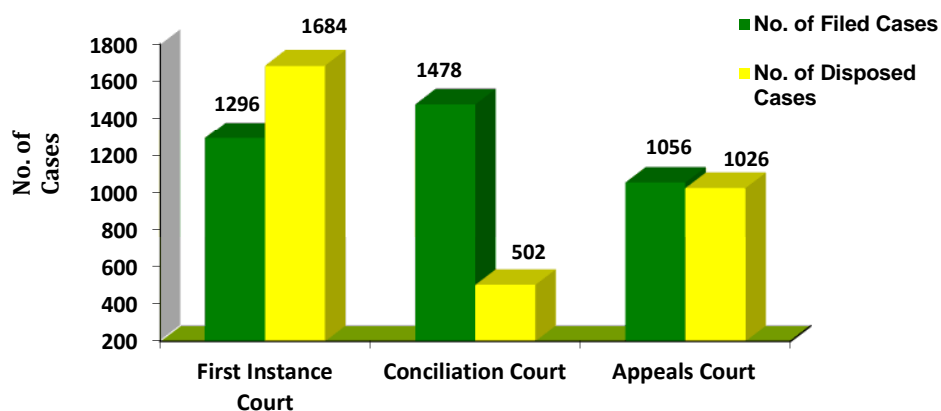
1.7.1 State Layer Department Achievements

The table below shows the number of treasury cases at First Instance, Conciliation and Appeal Courts that are being followed up by the State Lawyer from early January 2011 to the end of October 2011. As it is indicated, the percentage of disposed cases from the total number of new cases amounted to 106.2%; the number of disposed cases was the equivalent of the number of cases that were filed in 2011 as well as 6.2% of cases that were pending from previous years. This means that the number of backlog cases in 2012 dropped at the same rate in the three courts.

Number of Treasury Cases before All Courts in Kingdom from January-October 2011

Indicator	First Instance Courts	Conciliation Courts	Appeals Courts	Total
No. of Pending Cases from 2010	1325	1478	1146	3949
No. of Cases Filed in 2011	1296	672	1056	3024
Total No. of Pending and New Cases	2621	2150	2202	6973
No. of Disposed Cases	1684	502	1026	3212
No. of Pending Cases in 2012	937	1648	1176	3761

**Number of Treasury Cases Before All Courts in Kingdom
during 1/ 1/ 2011 – 31/ 10/ 2011**

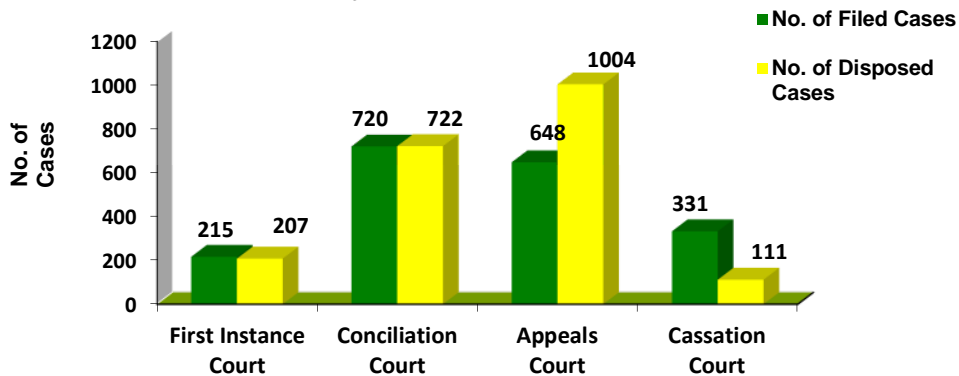


The table below shows the number of treasury cases at First Instance, Conciliation and Appeal Courts, as well as the Court of Cassation, that are being followed up by the State Lawyer from 1/ 1/ 2011 through 31/10/2011. It can be noted that the percent of disposed cases from the total number of new cases amounted to 104.8%, whereby the number of disposed cases was the equivalent of the number of cases that were filed in 2011 as well as 4.8% of cases that have been pending from previous years. This means that the number of backlog cases in 2012 dropped at the same rate.

**Indicators Related to the Work of the State Lawyer Department on Treasury
Cases/Amman - 2011**

Indicator	First Instance Courts	Conciliation Courts	Appeals Courts	Cassation Court	Total
No. of Pending Cases from 2010	325	387	428	255	1395
No. of Cases Filed in 2011	215	720	684	331	1950
Total No. of Pending and New Cases	540	1107	1112	586	3345
No. of Disposed Cases	207	722	1004	111	2044
No. of Pending Cases in 2012	333	385	108	475	1301

**Indicators Related to the Work of the State Lawyer Department on
Treasury Cases / Amman - 2011**



The total value of amounts collected for the benefit of the Amman Execution Department/Treasury during 1/ 1/ 2011– 31/ 12/ 2011 amounted to JD 329,341.670. The following table shows the number of treasury cases before the different Execution Departments across the Kingdom as well as the treasury cases handled by the Amman First Instance Court Execution Department according to end date.

Treasury Cases before the Different Execution Departments across the Kingdom from 1/ 1/ 2011 to 31/ 10/ 2011

&

Amman First Instance Court Execution Department from 1/ 1/ 2011 to 31/ 12/ 2011

Execution Departments in The Kingdom 1/ 1/ 2011 - 31/ 10/ 2011		Amman First Instance Court Execution Department 1/ 1/ 2011 - 31/ 12/ 2011	
No. of Pending Cases from 2010	1167	No. of Pending Cases from 2010	3671
No. of Cases Filed in 2011	677	No. of Cases Filed during 31/ 10/ 2010 - 31/ 10/ 2011	487
No. of Pending and New Cases	1844	No. of Enforced Case during 31/ 10/ 2010 - 31/ 10/ 2011	276
No. of Disposed Cases	699	No. of Enforced Case Up Till 30/ 11/ 2011	2907

No. of Pending Cases	1145		
----------------------	------	--	--

1.7.2 Challenges Facing the Performance Improvement and Development of the State Lawyer Department

The main challenges faced by the State Lawyer Department relate to the weak criteria in place for selecting the State Lawyer and his/her assistants, the continuous changing and lack of sustainable tenure of State Lawyers, particularly in the absence of legislation that guarantees a fixed tenure for a specific and adequately long period of time that enables him/her to carry out his/her duties effectively and implement the work plan of the Department. The third challenge pertains to the ongoing discourse related to judges assuming the functions of the State Lawyer and the association confusion and divergence of opinion in this regard. Following are some of the other challenges facing the work of the State Lawyer Department:

- Slowness of relevant government agencies being adjudicated against in providing the Department with relevant information and facts that show details related to claims and on which the State Lawyer bases his/her defense arguments.
- The full name of the defendant and the charged is not provided or made available. The same applies to addresses whereby the information listed includes the first, second and last name of the person to be notified and the address only lists the area in which he/she lives. This renders the notifier unable to serve the notice and requires that the notice be published in newspapers. This results in incurring additional expenses, delays the resolution of cases and results in prohibiting the enforcement of judgments issued in favor of the treasury.
- There is a continual need for assigning Public Prosecution judges to work at some courts in the Kingdom (Maan, Madaba, Tafilah, Karak, Jerash, and Aqaba) due to the presence of only one State Lawyer Assistant who handles cases in which the government is party and follows up on the execution of judgments issued in favor of the treasury. In the event that this sole assistant is absent due to an emergency, illness, death or some other family matter, results the case is unintentionally disrupted and delayed.
- Lack of specialized assistants to represent the government before Conciliation Courts. In execution cases, seconded chief clerks represent the treasury although they lack the legal knowledge that enables them to defend the rights of the treasury and collect the funds.
- Lack of the necessary number of qualified staff and judicial assistants at State Lawyer Departments within Amman and other courts.
- Lack of a mechanism or a body that assists in searching for the addresses of defendants and convicted persons for purposes of serving notices related to treasury cases.
- The number of correspondence to Ministries, government departments and the Audit Bureau related to inquiries about the proceedings of cases and the execution of judgments is high and often repetitive throughout the year. This casts a great burden on the Department, given that responding

to such inquiries requires significant effort and time on the part of government representatives and supporting administrative bodies.

- The Ministry of Finance is either late or does not pay expenses related to hiring experts assigned to the Treasury by the courts, thereby hindering the progress of cases or even suspension of cases until expert expenses are paid.

1.7.3 Opportunities for the Institutional Development and Capacity Building of the State Lawyer Department

Among the main opportunities for developing the State Lawyer Department is the commitment of employees working in all Ministries, government departments and official and public sector entities to fully cooperate with the State Lawyer Department in the course of the work assigned to it according to the provisions of the law and to provide him/her with all information and documents available to them. Other opportunities for developing the capacity of the Department exist, the most important of which are:

- The 2012-2014 Judicial Authority Strategic Plan allocated a goal within the first pillar of the strategy for strengthening and developing the State Lawyer Department through two programs: the Legislation Program and the Institutional Capacity and Human Resources Program.
- Qualified judges work at the State Lawyer Department.

1.7.4 Future Aspirations for Developing the Performance of the State Lawyer Department

Among the key aspirations for enhancing and developing the State Lawyer Department is to establish criteria for the selection of the State Lawyer and his/her assistants, extending the stability of the State Lawyer's tenure in his/her position, and assist the Department develop an annual plan that clearly outlines roles and responsibilities, implementation timeframe and budget.

- Provide the State lawyer and treasury representatives in all locations, as well as Execution Departments, with full names, clear addresses and national numbers of parties involved in treasury and execution cases.
- Coordinate and collaborate with the Public Security Department and police stations to accelerate the execution of motions filed by treasury execution departments and expedite bringing those sentenced to execution judgments related to placing liens on their vehicles.
- Provide the State Lawyer Department with supporting means to help sustain and expedite the Department's work in terms of staff and computer equipment and linking them with relevant departments.
- Linking the central State Lawyer Department with the rest of the departments in the Kingdom due to the need for enhanced communication and the provision of necessary instructions in a timely manner.

- Link the State Lawyer Department with the Department of Land and Survey, the Civil Status Department and the Passport Department to make it easier to inquire about the addresses and properties of defendants.
- Work with all ministries and independent bodies to assign a representative from their legal department to visit the State Lawyer Department once a week in order to train and educate him/her on many of the legal issues as well as on drafting contracts and responding to notices and to bring the required and necessary evidence of the Ministry of Department.

2. Efficiency and Effectiveness of Court Operations Pillar

2.1 Reduce Litigation Time, Alleviate Burden on Courts and Improve their Performance and Enhance the Quality of Judicial Judgments

The Royal vision to modernize the judiciary constitutes a fundamental premise and a real challenge in reaching a modern judicial system that is safeguarded by independence, impartiality and neutrality, and is a key and important player in ensuring the implementation of the country's plans related to comprehensive and sustainable development. The magnitude of this political will and the clarity of its drive had a significant impact in driving the parties concerned with judicial enhancement to develop tools and improve work methodologies in a qualitative manner and in a way that is in line with His Majesty's vision in moving the judicial component towards achieving more efficient and timely justice.

Reducing litigation time means more timely clearance of cases, while taking into account the quality of judicial judgments. This also depends upon the type of cases brought before the courts, whereby technological advancements and complex legislation currently in place have an important impact on the type and level of the complexity of cases. When judges specialize in certain types of cases, it will have a positive impact on the timely resolution of cases. The high caseload of judges affects the time in which cases are resolved.

The performance indicators related to the effectiveness of courts is considered among the most important indicators that measure the effectiveness of the Jordanian judicial system, the degree of its flexibility and responsiveness with new and emerging issues, particularly in relation to increasing workload on courts and judges. The importance of this indicator lies in the fact that it measures an aspect of the 2012-2014 Judicial Authority Strategy pertaining to pillar 2, which relates to enhancing the effectiveness of litigation procedures through reducing litigation time, expediting disposition of cases, limiting the escalation of backlog, and reducing workload on judges. This indicator both directly and indirectly supports the following aspects related to the functions and operations of courts:

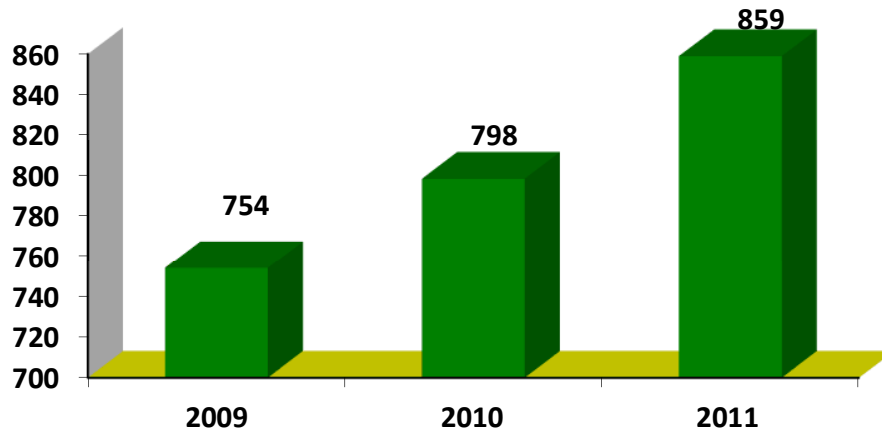
1. The amount of workload on judges of various levels and their ability to keep pace with the steady rise in the number of cases received by courts, and their ability to adjudicate them and reduce backlog, as well as the capacity of the judicial system to recruit new, qualified and trained judges possessing extensive experience and a solid reputation.
2. This indicator helps forecast the future workload of courts based on data collected from previous years. This will help decision makers plan for the future in terms of vertical or horizontal expansion of courts in different locations based on the size of the court's workload, or in terms of controlling the transfer of judges and their secondment and the appointment of new judges based on the load of courts in which they work.
3. The extent to which the environment is conducive for litigation, such as: the ease of procedural burdens, reduction of litigation time, the expediting of the resolution of cases without affecting the principles of fair trial standards, the extent to which alternative dispute resolution mechanisms of civil cases are effective, the development and modernization of the case management system, etc.
4. This indicator also reflects the effectiveness level of the Jordanian judicial system in executing judgments issued by courts in a timely manner in order to enhance the rule of law, safeguard the basic rights and freedoms of citizens, and give each person his/her rights.
5. The level of improvement and modernization of court infrastructure and the availability of necessary services for facilitating litigation procedures in terms of: courtroom automation, expediting the retrieval of cases, establishing links with entities relevant to judicial work and court services, and the ease of accessing data, including accessibility of lawyers to information related to their cases.

2.2 Judicial Cadre

The database of judges in the Kingdom shows 859 judges in the judiciary, of which 107, or 12.5%, are female judges and 752, or 87.5%, are male judges. Compared to 2010 figures, the number of judges increased by 61, representing a 7.6% increase and a 13.9% increase over 2009 figures. The number of active judges currently in office is 821 and the number of seconded judges and those on scholarships is 38 judges.

Higher-level judges constitute 6.7% of Jordan's judiciary. Those holding a special rank comprise 4.8% of the judiciary. As for first and second level judges they amounted to 5.7% and 9.4% respectively. Judges ranked third through sixth comprised 73.4% of the total number of judges in office.

Increase in the Number of Judges during 2009-2011



Distribution of the Number of Judges According to Rank and Work Classification for 2011

Rank	No. of Judges	% of Total Working Judges	No. of Judges Seconded and On Scholarship Programs	Total
Higher	55	6.7%	4	59
Special	39	4.8%	1	40
First	47	5.7%	4	51
Second	77	9.4%	8	85
Third	89	10.8%	7	96
Fourth	155	18.9%	6	161
Fifth	188	22.9%	6	194
Sixth	171	20.8%	2	173
Total	821	100 %	38	859

2.3 Performance Indicators of the Court of Cassation

The Court of Cassation is the highest judicial body in the Kingdom. Its jurisdiction pertains to reviewing appeals in judgments and decisions issued by Courts of Appeal. The Chief Judge of the Cassation Court is, by virtue of his/her post, the Chief Justice of the Jordanian Judicial

Council, and is assisted by a number of senior-level judges known as Cassation Judges. The Court of Cassation is a court of law; it does not consider the subject matter or content of cases brought before it for review. Its role is limited to assuring that judgments and the court that issued the judgements it is reviewing satisfied all legal procedures and due processes. It is for this reason that it is not considered a level of litigation (First Instance and Conciliation Courts are first court levels and Courts of Appeal are the second level of litigation). The Court of Cassation is a subject matter court only when reviewing appeals from the State Security Court, the Police Court and the Major Felonies Court. The Court of Cassation also specializes in reviewing motions pertaining to the determination of jurisdiction when there is positive or negative conflict between two regular courts that do not fall under the same Court of Appeals. Negative conflict is when a court decides that each of the two courts have no jurisdiction over the case. Positive conflict means that each court would decide on its jurisdiction to review the case.

Results show the extent of workload on the Court of Cassation members from 2010-2012 which reviews judgments and decisions of Civil and Criminal Courts of Appeal and those issued by any court which its law provides for appealing its judgments to the Court of Cassation.

The number of cases filed at the Court of Cassation in 2011 amounted to 11,343. Compared to 2010 figures, the number of 2011 filings witnessed a slight decrease of 1%. It is expected that the number of filings in 2012 will drop at the same rate if the percentage remains constant. The number of disposed cases increased by 33.5%, and it is expected that the number will increase at the same rate in 2012 to reach 13,837 cases if the percentage remains constant. From the following two tables, we can deduce the main performance indicators for the Court of Cassation as follows:

- The real average caseload per Cassation Court panel (total number of pending and new cases/number of panels) dropped from 2,741 cases in 2010 to 2,559 cases in 2011, a decrease of 6.6%. The reduction in the per panel caseload is due to the fact that the number of panels was increased from 5 to 6 panels, and is not the result of the decrease in the number of cases brought before the court. On the contrary, the number of new filings increased exponentially. Concurrently, the average annual caseload per judge dropped from 527 cases in 2010 to 452 cases in 2011.
- The average annual clearance rate per panel (performance rate) increased exponentially from 1,993 cases in 2010 to 2,125 cases in 2011. In 2012, it is expected that the number of new filings will increase to 2,794 cases. The same applies to the average clearance rate per judge, which is expected to continue to increase in 2012.
- From the following table, it can be noted that the Court of Cassation reviews three types of cases. The caseload of each case type varies. Civil cases comprise the highest percentage, 38.8% of the total number of new and pending cases, followed by motions at 28.4% and criminal cases at 19.6%.
- The clearance rate of motions amounted to 98.7%, which is the highest rate, followed by criminal cases at 80.7% and civil cases at 75.2%.

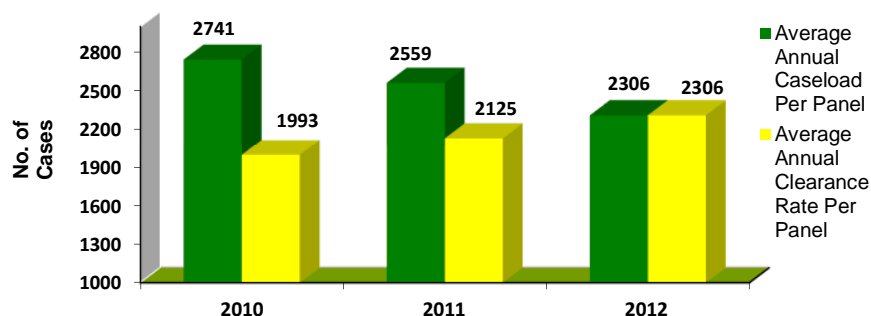
- From the above, we conclude that the workload of Cassation Court judges is substantial due to the increase in the number of cases filed each year at the Cassation Court and the exponentially increasing number of disposed cases, which requires that, in the future, the number of panels be increased.
- In 2012, the increase in the clearance rate of cases and the performance level of each judge will lead to the elimination of backlog cases, should the decreased percentages in the number of new cases remain constant.

Cassation Court Performance Indicators for 2010–2011 and Projected Indicators for 2012

Indicator	2010	2011	2012
No. of Judges	26	34	34
No. of Cassation Panel Members	5	6	6
No. of Pending Cases	2251	4011	2605
No. of New Cases	11455	11343	11332
No. of Disposed Cases	9695	12749	13837
Total Number of New and Pending Cases	13706	15354	13837
% of Disposed Cases of Total No. of New Cases	84.6%	112.4%	122.1%
Real Average Caseload Per Judge	527	452	407
Real Average Caseload Per Panel	2741	2559	2306
Clearance Rate (Performance Rate) Per Judge	373	375	407
Clearance Rate (Performance Rate) Per Panel	1993	2125	2306
Disposed Cases /(New + Pending Cases)	70.7%	83.0%	100.0%
Average Monthly Caseload Per Judge	44	38	34

1. Percentage of decrease during two years (2010 as a base year and 2011) in the number of new cases; 2012 forecast is approximately 1%.
2. Percentage of increase during two years (2010 as a base year and 2011) in the number of disposed cases; 2012 forecast is approximately 31.5%.

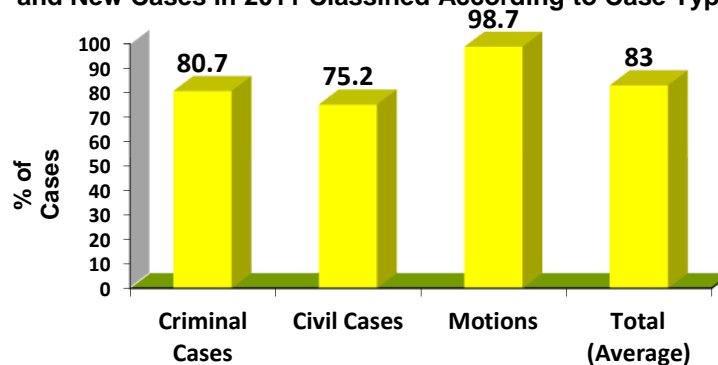
Average Caseload per Cassation Court Panel and Clearance Rate during 2010-2011 and Projected Indicators for 2012



Court of Cassation Performance Indicators for 2011 According to Case Type

Case Type	No. of Pending Cases	No. of New Annual Cases	Total No. of Cases (Pending + New)	No. of Disposed Cases	% of Disposed Cases of Total No. of New Cases	No. of Panels	Average Annual Caseload Per Panel	Annual Clearance Rate	Disposed Cases / (New + Pending Cases)	Caseload Per Month
Criminal	466	2546	3012	2430	95%	6	502	405	80.7%	424
Civil	3405	4520	7925	5961	132%	6	1321	994	75.2%	753
Motions	140	4277	4417	4358	102%	6	736	726	98.7%	713
Total	4011	11343	15354	12749	112%	6	2559	2125	83.0%	1891

Percent of Disposed Cases from the Total Number of Pending and New Cases in 2011 Classified According to Case Type



2.4 Performance Indicators of the Court of Higher Justice

The Administrative Judiciary in Jordan was first established in 1951 pursuant to the Temporary Regular Courts Formation Law No. 71 of 1951. Before that, the law did not allow for the appeal of any administrative decision or to comment on it. Thus, administrative decisions were immune from appeal.

In 1989, the Council of Ministers issued Temporary Law No. 11 of 1989. According to this law, an Administrative Court, independent from the Court of Cassation in terms of formation and jurisdiction, was established for the first time called the Court of Higher Justice. In article 9 of said law, the legislature expanded the jurisdiction of this court and the parliament introduced amendments and additions to the law, the most important of which was item 11 of article 9 which stated that the Court of Higher Justice specializes in “reviewing appeals in any final administrative decision, even if such decision was immune by virtue of the law it was based on”. It is for this reason that the Jordanian legislature ended the debate regarding the immunity of administrative decisions; there was no longer any decision that could not be objected or appealed. This was issued in Law No. 12 of 1992 that is currently in force.

The vision of His Majesty King Abdullah II for the Judicial Authority primarily relates to the establishment of a two-level Administrative Judiciary that would support the mandate of the judiciary and its relation with other state establishments, safeguard the separation of powers and principles guaranteed by the Jordanian Constitution. Furthermore, the Constitutional amendments canceled article 100 of the Constitution related to the Court of Higher Justice and replaced it with the “two level Administrative Judiciary” term. To fulfill the vision of His Majesty and implement the Constitutional amendments, a draft law that would regulate the two-level Administrative Judiciary was developed.

The Court of Higher Justice performance indicator measures the effectiveness level of court procedures followed at said court. The Court of Higher Justice is comprised of one panel that includes six judges. The Court of Higher Justice witnessed a significant drop in the number of cases brought before it from 2010–2011. In 2010, there were 546 new filings, dropping to 472 cases in 2011, a decrease of 13.4%. It is expected that in 2012, the number of case filings before the Court of Higher Justice will drop to 410 cases, if the percentage remains constant. With regards to disposed cases, the number of disposed cases increased marginally from 534 cases in 2010 to 507 cases in 2011, an increase of 5.1%. Following are the key results:

- The real annual caseload per judge at the Court of Higher Justice is witnessing a significant decrease. The real annual caseload per judge dropped from 118 cases in 2010 to 108 cases in 2011. The same applies to the per panel caseload whereby it decreased from 710 cases in 2010 to 649 cases in 2011. The drop in the caseload of each judge and panel is attributed to the decrease in the number of cases filed during the year while the number of judges remained constant. It is expected that, in 2012, the caseload per judge will decrease if the percentage remains constant.
- The average case disposition rate per judge witnessed a slight decrease from 89 cases in 2010 to 85 cases in 2011, and the same applied to the disposition rate of the panel, despite the increase in the percentage of disposed cases from the total number of new filings from 97.8% to 107.2% during the same period. It is expected that the average disposition rate per judge will continue to decrease at the same rate to reach 80 cases in 2012 if the case disposition rate remains constant.

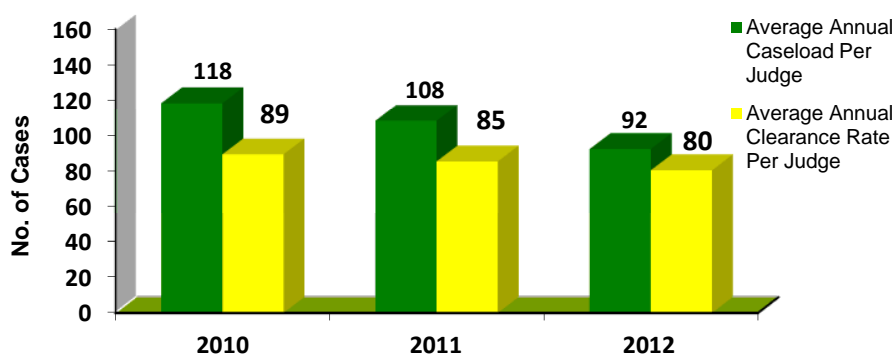
Court of Higher Justice Performance Indicators for 2010 – 2011 and Projected Indicators for 2012

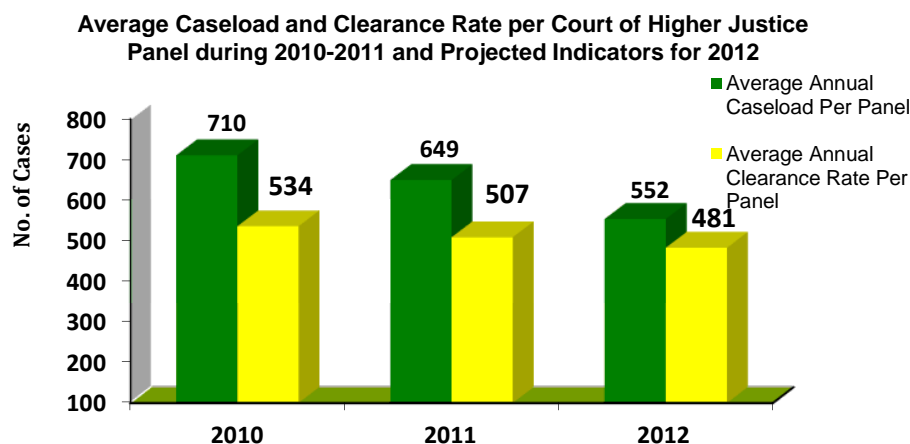
Indicator	2010	2011	2012
No. of Judges	6	6	6
No. of Panels	1	1	1
No. of Pending Cases	164	176	142
No. of New Cases	546	473	410
No. of Disposed Cases	534	507	481
Total No. of New and Pending Cases	710	649	552

% of Disposed Cases of Total No. of New Cases	97.8%	107.2%	117.3%
Real Average Caseload Per Judge	118	108	92
Real Average Caseload Per Panel	710	649	552
Clearance Rate (Performance Rate) Per Judge	89	85	80
Clearance Rate (Performance Rate) Per Panel	534	507	481
Disposed Cases /(New + Pending Cases)	75.2%	78.1%	87.1%
Average Monthly Caseload Per Judge	10	9	8

1. Percentage of decrease during two years (2010 as a base year and 2011) in the number of new cases; 2012 forecast is approximately 13.4%.
2. Percentage of increase during two years (2010 as a base year and 2011) in the number of disposed cases; 2012 forecast is approximately 5.1%.

Average Caseload and Clearance Rate per Court of Higher Justice Judge during 2010-2011 and Projected Indicators for 2012





2.5 Performance Indicators of the Public Prosecution before the Administrative Court

The Court of Higher Justice Law No. 12 of 1992 and the amended Law No. 2 of 2000 stipulate that the presidency of the Public Prosecution before the Administrative Court shall be formed of a Cassation-level judge and one or more assistants. The President of the Public Prosecution before the Administrative Court, or any of his/her assistants whom he/she designates in writing, represent public administration entities before the Court of Higher Justice in the capacity of either plaintiffs or defendants. The Court of Higher Justice **specializes in reviewing objections submitted by concerned parties related to final administrative decisions issued pertinent to employment in public administrations or those related to annual increases, promotion, secondment, etc.**

The following table highlights the performance indicators of the Public Prosecution department before the Administrative Court. From the table below we conclude that the number of cases filed at the department is witnessing a downward trend. The number of cases dropped from 309 cases in 2010 to 192 cases in 2011, a decrease of 37.9%. It is expected that in 2012 the number of cases will drop to 119, if the percentage remains constant. As for disposed cases, their number also witnessed a slight drop from 295 cases in 2010 to 220 cases in 2011, a decrease of 25.4%. It is expected that the number of disposed cases in 2012 will go down to 164 cases, if the percentage and the number of judges remain constant.

- Average annual caseload per judge: The average annual case load per judge is witnessing a downward trend as a result of the decrease in the number of new cases and the constant number of judges. The average annual caseload per judge dropped from 192 in 2010 to 141 in

2011, a decrease of 26.6%. It is expected that the average will drop to 90 cases due to the forecasted decrease in the number of cases that will be brought before courts in 2012, if the percentage remains constant and the number of judges remains unchanged.

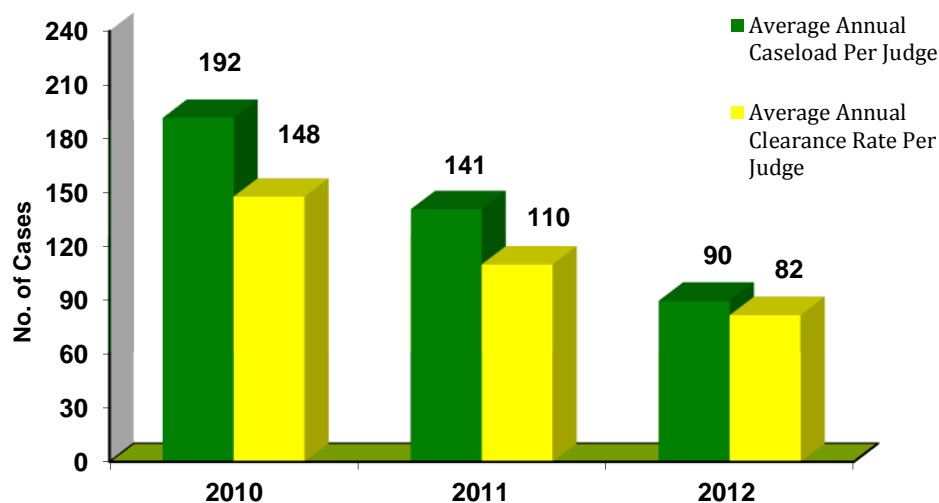
- Average annual clearance rate per judge: The annual average clearance rate per judge is going downward from 148 cases in 2010 to 110 cases in 2011, a decrease of 25.7%. This is due to the decrease in the number of disposed cases and the constancy of the number of judges. It is expected that, in 2012, the average will decrease to 82 cases if the percentage remains constant.

**Public Prosecution Department before the Administrative Court Performance Indicators for
2010 – 2011 and Projected Indicators for 2012**

Indicator	2010	2011	2012
No. of Judges	2	2	2
No. of Pending Cases	75	89	61
No. of New Cases	309	192	119
No. of Disposed Cases	295	220	164
Total No. of New and Pending Cases	384	281	180
% of Disposed Cases of Total No. of New Cases	95.5%	114.6%	137.5%
Real Average Caseload Per Judge	192	141	90
Clearance Rate (Performance Rate) Per Judge	148	110	82
Disposed Cases /(New + Pending Cases)	76.8%	78.3%	91.0%
Average Monthly Caseload Per Judge	16	12	8

1. Percent of decrease during two years (2010 as a base year and 2011) in the number of new cases; 2012 forecast is approximately 37.9%.
2. Percent of increase during two years (2010 as a base year and 2011) in the number of disposed cases; 2012 forecast is approximately 25.4%.

Average Caseload and Clearance Rate of the Public Prosecution Department before the Administrative Court during 2010-2011 and Projected Indicators for 2012



2.6 Performance Indicators of Courts of Appeal

Courts of appeal (second level courts) have jurisdiction over reviewing and adjudicating objections and appeals related to judgments, decisions and procedures issued by Conciliation and First Instance courts (first level courts). The decisions of the Courts of Appeal in criminal and civil cases valued at more than JD 10,000 can be objected to before the Cassation Court. As for civil cases with claims valued below JD 10,000, they may not be appealed to the Cassation Court except by written approval from the Chief Justice of the Cassation Court or whom he/she designates to do so.

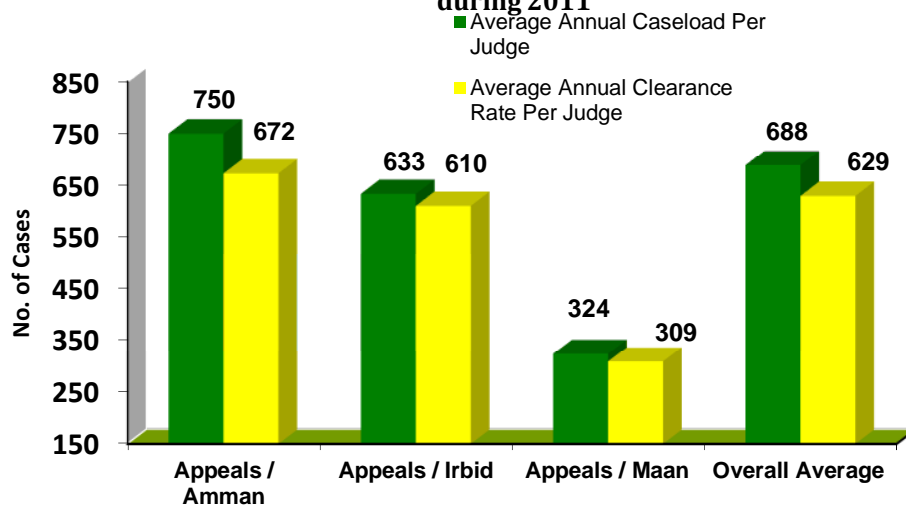
The Court of Appeal is formed by at least three judges. There are three Courts of Appeal in the Kingdom- in Amman, Irbid and Maan- headed by judges who are also ex officio members of the Judicial Council of Jordan. In addition to presiding over appeals related to civil and criminal cases, the Court of Appeals has jurisdiction over reviewing motions related to assigning the competent authority if there is a conflict of jurisdiction, either positively or negatively, between two Conciliation, or between a Conciliation and a First Instance Court, or between two First Instance Courts falling under the jurisdiction of the same Appeals Court. Judgment pertinent to capital punishment or a criminal penalty that exceeds five years falls under the jurisdiction of the Court of Appeal, even if the accused did not request an appeal.

The below table lists the performance indicators of Courts of Appeals during the years studied. It can be noted that the number of judges increased from 96 judges in 2010 to 105 judges in 2011. Also, the number of panels in all three courts increased 30 to 33 panels during the same

period. In addition, it can also be noted that the number of cases appealed to the three Courts of Appeals underwent a slight drop of 2%, dropping from 67,742 cases in 2010 to 66,406 cases in 2011. It is expected that this drop will continue in 2012 to 65,248 cases if the percentage remains constant. Despite the decrease in the number of cases filed at the three courts, the number of disposed cases increased from 66,232 cases in 2010 to 66,678 cases in 2011, a small increase of 1%. It is expected that the clearance rate will increase at the same rate in 2012. Following are the main conclusions:

- The drop in the number of cases filed at the three Courts of Appeal during the past two years indicates that the judgments issued by Conciliation and First Instance Courts are accurate and do not require to be appealed to the higher court level. It is also due to assigning the First Instance Court jurisdiction to review cases in the capacity of an Appeals Court in cases appealed by Conciliation and First Instance Courts.
- The average caseload per judge at Appeals Courts is taking a downward trend. The average caseload dropped from 758 cases in 2010 to 695 cases in 2011. It is expected that the caseload per judge will go down to 681 cases in 2012. This decrease is due to the decrease in the number of new cases that were filed during the year, and also because the number of judges increased from 96 in 2010 to 105 judges in 2011. Similarly, the average annual caseload for each panel dropped from 2,425 cases to 2,210 during the same period. It is expected that in 2012 the caseload per panel will be approximately 2,167 cases if the percentage remains constant.
- The average level of performance of each judge dropped from 690 cases in 2010 to 635 cases in 2011. It is expected that the average will drop to 643 cases in 2012 if the percentage remains constant.
- The Amman Court of Appeals receives the highest percentage of new filings and pending cases from the total number of new and pending cases at the three Appeals Courts which, in 2011, amounted to 73%, followed by Irbid Court of Appeals at 24.3% and Maan Court of Appeal with a percentage not exceeding 2.6%.
- The average annual caseload per judge at the Amman Court of Appeals, and which amounted to 750 cases, is higher than the average caseload of judges in the three courts of appeal and which is 695 cases per year. The average annual caseload per judge at the Irbid Court of Appeals is lower than the overall average, 633 cases, and which is also lower than the average caseload per judge at the Maan Court of Appeals and which amounted to 324 cases in 2011.
- The percentage of disposed cases from the total number of new filings and pending cases at the Irbid Court of Appeal, which reached 96.3%, is above that of the Amman Court of Appeals (89.6%) and that of the Maan Court of Appeals (92.5%).

Average Caseload per Court of Appeals Judge and Clearance Rate during 2011



Performance Indicators of Court of Appeals during 2010 – 2011 and Forecasted Indicators for 2012

Court	Year	No. of Judges	No. of Panels	No. of Pending Cases	No. of New Cases	No. of Disposed Cases	Total No. of Cases (Pending + New)	% of Disposed Cases of Total No. of New Cases	Average Caseload Per Judge	Average Caseload Per Panel	Clearance Rate Per Judge	Clearance Rate Per Panel	Disposed Cases / (New + Pending Cases)	Average Monthly Caseload Per Judge
Amman Court of Appeals	2010	63	21	3542	47156	45115	50698	95.7%	805	2414	716	2148	89%	67
	2011	71	23	5583	47681	47747	53264	100.1%	750	2315	672	2075	89.6%	63
	2012	71	23	5517	48212	50533	53729	104.8%	757	2236	712	2179	94.1%	63
Irbid Court of Appeals	2010	26	8	1375	18617	19122	19992	102.7%	769	2499	735	2390	95.6%	64
	2011	28	9	870	16855	17077	17725	101.3%	633	1969	610	1897	96.3%	53
	2012	28	9	648	15260	15251	15908	99.9%	568	1768	545	1695	95.9%	47
Maan Court of Appeals	2010	7	1	97	1969	1995	2066	101.3%	295	2066	285	1995	96.6%	25
	2011	6	1	71	1870	1854	1941	99.1%	324	1941	309	1854	95.5%	27
	2012	6	1	87	1776	1723	1863	97.0%	310	1863	287	1723	92.5%	26
Total (all courts of appeal)	2010	96	30	5014	67742	66232	72756	97.8%	758	2425	690	2208	91.0%	63
	2011	105	33	6524	66406	66678	72930	100.4%	695	2210	635	2021	91.4%	58
	2012	105	33	6252	65248	67506	71500	103.5%	681	2167	643	2046	94.4%	57

Percentage Change (Increase/Decrease) in the Number of New and Disposed Cases at Courts of Appeal during 2011 Compared to 2010 as a Base Year

Court	Percentage Change in the No. of New Cases	Percentage Change in the No. of Disposed Cases (%)
--------------	--	---

Amman Court of Appeals	Increase (1.1%)	Increase (5.5%)
Irbid Court of Appeals	Decrease (9.5%)	Decrease (10.7%)
Maan Court of Appeals	Decrease (5%)	Decrease (6.1%)
Total (all Courts of Appeal)	Decrease (2%)	Increase (0.7%)

Performance Indicators for Courts of Appeal during 2011 Classified According to Case Type

Court	Case Type	Felonies	First Instance Criminal	First Instance Civil (Excluding Treasury)	Treasury	Conciliation Criminal	Conciliation Civil	Execution	Civil Status	Settlement	Appointment of Jurisdiction	Bails	Motions	First Instance Civil Trials	Annual Total
Amman Court of Appeals	Pending from Previous Year	286	308	749	3361	42	68	730	3	17	7	0	12		5583
	New Annual Filings	3064	4140	941	7546	9580	9324	11842	4	57	63	359	761		47681
	Total	3350	4448	1690	10907	9622	9392	12572	7	74	70	359	773		53264
	Annual Disposition	3270	4262	1228	7850	9116	8459	12470	4	55	54	359	620		47747
	Disposed / (Pending + New Filings)	97.6%	95.8%	72.7%	72.0%	94.7%	90.1%	99.2%	57.1%	74.3%	77.1%	100.0%	80.2%	0.0%	89.6%
	Disposed / New	106.7%	102.9%	130.5%	104.0%	95.2%	90.7%	105.3%	100.0%	96.5%	85.7%	100.0%	81.5%	0.0%	100.1%

Court	Case Type	Felonies	First Instance Criminal	First Instance Civil (Excluding Treasury)	Treasury	Conciliation Criminal	Conciliation Civil	Execution	Civil Status	Settlement	Appointment of Jurisdiction	Bails	Motions	First Instance Civil Trials	Annual Total
	Filings														
Irbid Court of Appeals	Pending from Previous Year	14	2	449	360	5	26	0	0	2	1	0	12		871
	New Annual Filings	831	1319	1016	1295	2201	4054	5828	28	51	23	97	112		16855
	Total	845	1321	1465	1655	2206	4080	5828	28	53	24	97	124		17726
	Annual Disposition	844	1320	1104	1407	2206	4055	5827	28	51	22	97	116		17077
	Disposed / (Pending + New Filings)	99.9%	99.9%	75.4%	85.0%	100.0%	99.4%	100.0%	100.0%	96.2%	91.7%	100.0%	93.5%	0.0%	96.3%
	Disposed / New Filings	101.6%	100.1%	108.7%	108.6%	100.2%	100.0%	100.0%	100.0%	100.0%	95.7%	100.0%	103.6%	0.0%	101.3%
Maan Court of Appeals	Pending from Previous Year	0	0	0	23	2	14	0	0	4	0	0	1	27	71
	New Annual Filings	228	285	68	83	469	457	114	16	18	2	27	9	94	1870

Court	Case Type	Felonies	First Instance Criminal	First Instance Civil (Excluding Treasury)	Treasury	Conciliation Criminal	Conciliation Civil	Execution	Civil Status	Settlement	Appointment of Jurisdiction	Bails	Motions	First Instance Civil Trials	Annual Total
	Total	228	285	68	106	471	471	114	16	22	2	27	10	121	1941
	Annual Disposition	225	285	67	82	470	463	114	16	18	2	27	10	75	1854
	Disposed / (Pending + New Filings)	98.7%	100.0%	98.5%	77.4%	99.8%	98.3%	100.0%	100.0%	81.8%	100.0%	100.0%	100.0%	62.0%	95.5%
	Disposed / New Filings	98.7%	100.0%	98.5%	98.8%	100.2%	101.3%	100.0%	100.0%	100.0%	100.0%	100.0%	111.1%	79.8%	99.1%

2.7 Performance Indicators for the Income Tax Court of Appeals

The Customs Appeals Court specializes in reviewing appeals submitted by taxpayers objecting to valuation and revaluation decisions, claims related to fines and additional sums, any amounts that must be deducted, paid or subtracted as final tax, or tax amounts paid in advance, and in accordance with the provisions of the Income Tax Law and its pursuant regulations.

The Income Tax Appeals Court is witnessing a downward trend; in 2010 there were 1,010 cases, which dropped to 690 cases in 2011, a decrease of 31.7%. It is expected that the number of cases that will be filed at the court in 2012 will be approximately 471 cases if the percentage remains constant. The number of disposed cases is also declining. In 2010 the number of disposed cases amounted to 1,383, dropping to 954 cases in 2011, a decrease of 31%. It is expected that in 2012 the number will drop to 658 cases, given that the percentage remains constant. From the table we can deduce the following:

- The decline in the number of cases filed at the Income Tax Appeals Court indicates that objections related to income tax valuation decisions and the various other claims are witnessing a downward trend, which is reflective of the soundness and correctness of decisions issued by the Income Tax Department.
- The decline in the annual average caseload per judge and that of the panel is the result of the decline in the number of cases brought before the court the constant number of judges. It is expected that the decline in caseload will continue during 2012.
- If the number of new filings continues to decline and the clearance rate remains as is, it is expected that all backlog (pending) cases will be cleared in about two years.

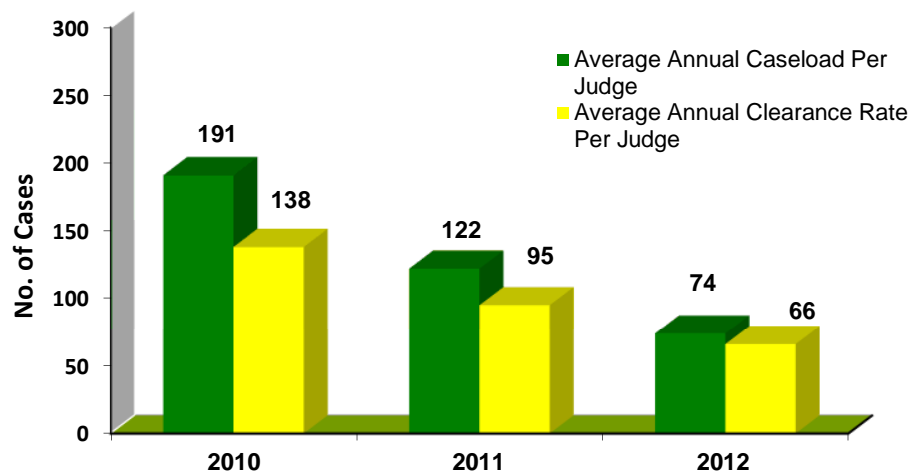
Income Tax Appeals Court Performance Indicators for 2010 – 2011 and Projected Indicators for 2012

Indicator	2010	2011	2012
No. of Judges	10	10	10
No. of Panels	3	3	3
No. of Pending Cases	902	529	265
No. of New Cases	1010	690	471
No. of Disposed Cases	1383	954	658
Total No. of New and Pending Cases	1912	1219	736
% of Disposed Cases of Total No. of	%136.9	%138.3	%139.7

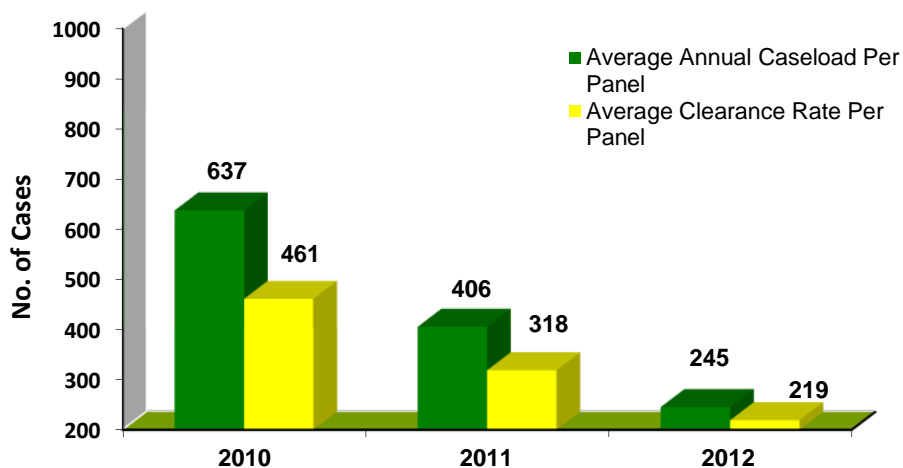
New Cases			
Real Average Caseload Per Judge	191	122	74
Real Average Caseload Per Panel	637	406	245
Clearance Rate (Performance Rate) Per Judge	138	95	66
Clearance Rate (Performance Rate) Per Panel	461	318	219
Disposed Cases / (New + Pending Cases)	72.3%	78.3%	89.4%
Average Monthly Caseload Per Judge	16	10	6

1. Percent of decrease during two years (2010 as a base year and 2011) in the number of new cases; 2012 forecast is approximately 31.7%.
2. Percent of decrease during two years (2010 as a base year and 2011) in the number of disposed cases; 2012 forecast is approximately 31%.

**Average Caseload and Clearance Rate per Income Tax Appeals
Court Judge during 2010-2011 and Projected Indicators for 2012**



Average Caseload and Clearance Rate per Income Tax Appeals Court Panel during 2010-2011 and Projected Indicators for 2012



2.8 Performance Indicators for the Customs Court of Appeals

Judgments issued by the Customs First Instance Court are seen before the Customs Appeals Court. The Customs Appeals Court is formed of three regular judges appointed by the Judicial Council; one is assigned as the Chief Judge of the court. This court convenes in Amman or in any location assigned by the Minister it deems appropriate. The Customs Appeals Court has jurisdiction over cases brought before it and adjudicates them either by auditing or through hearings. Its decisions are issued either unanimously or by majority voting.

The number of new cases registered annually at the Customs Court of Appeal is witnessing an upward trend, whereby it increased from 625 cases in 2010 to 742 cases in 2011, at a rate of 18.7%. It is expected that the number of new filings in 2012 will continue to increase, reaching 881 cases if the percentage of increase remains constant. The number of disposed cases is also increasing; during the same period, the number of disposed cases increased from 884 to 967 cases, an increase of 9.4%. It is expected that the number of disposed cases in 2012 will continue to increase to reach 1058 cases if the percentage remains constant. Following are the main results:

- The annual caseload per judge is witnessing a downward trend in light of the unchanging 6 judges. The average caseload per judge decreased from 216 cases in 2010 to 192 cases in 2011 and is expected to drop to 178 cases in 2012 if the percentage remains constant. The caseload

of the panel also decreased during the same period from 948 cases to 577 cases and is expected to drop to 534 cases if the percentage remains constant.

- While the average annual caseload per judge is dropping, the average rate of case disposition per judge increased from 147 cases in 2010 to 161 cases in 2011. It is expected that the per judge disposition rate will continue to increase during 2012 to reach 176 cases, if the clearance rate of cases remains constant. The disposition rate of the panel during the same period increased from 442 cases to 484 cases and is expected to reach in 2012 529 cases if the percentage remains constant.
- If the percentage of new filings and the case disposition rates continue to be at constant, nearly all pending cases would be disposed by the end of 2012.

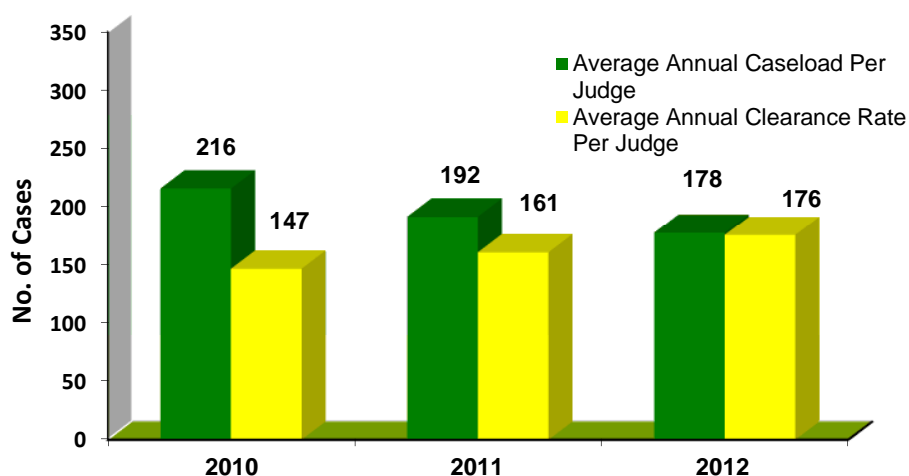
Customs Appeals Court Performance Indicators for 2010 – 2011 and Projected Indicators for 2012

Indicator	2010	2011	2012
No. of Judges	6	6	6
No. of Panels	2	2	2
No. of Pending Cases	670	411	186
No. of New Cases	625	742	881
No. of Disposed Cases	884	967	1058
Total No. of New and Pending Cases	1295	1153	1067
% of Disposed Cases of Total No. of New Cases	%141.4	%130.3	%120.1
Real Average Caseload Per Judge	216	192	178
Real Average Caseload Per Panel	948	577	534
Clearance Rate (Performance Rate) Per Judge	147	161	176
Clearance Rate (Performance Rate) Per Panel	442	484	529
Disposed Cases / (New + Pending Cases)	%68.3	83.9%	99.2%
Average Monthly Caseload Per	18	16	15

Judge			
-------	--	--	--

1. Percentage of increase during two years (2010 as a base year and 2011) in the number of new cases; 2012 forecast is approximately 18.7%.
2. Percentage of increase during two years (2010 as a base year and 2011) in the number of disposed cases; 2012 forecast is approximately 9.4%.

Average Annual Caseload and Clearance Rate per Customs Appeals Court Judge during 2010-2011 and Projected Indicators for 2012



2.9 Performance Indicators for the Aqaba Economic Zone Customs Court of Appeals

The Aqaba Economic Zone Customs Court of Appeals is formed by three judges appointed by the Judicial Council. This court reviews cases, by either auditing or through hearings, and issues its judgments unanimously or by majority. The period of appeal is thirty days from the date the judgment was served through a notice if the decision was issued in absentia or from the date the judgment was issued if it was pronounced in the presence of the parties.

The number of cases reviewed by this court is small compared to the Customs Appeals Court because it specializes specifically in cases related to the Aqaba Customs Department. In general, the number of cases filed at the Aqaba Economic Zone Customs Court of Appeals is witnessing a significant rise whereby the number of cases increased from 38 cases in 2010 to 59 cases in 2011, an increase of 55.3%. The number of new filings in 2012 is expected to continue to increase to 92 cases. The same applies to the rate of case disposition whereby during the two year period it witnessed a slight increase not exceeding 1.9%. Following are the main findings:

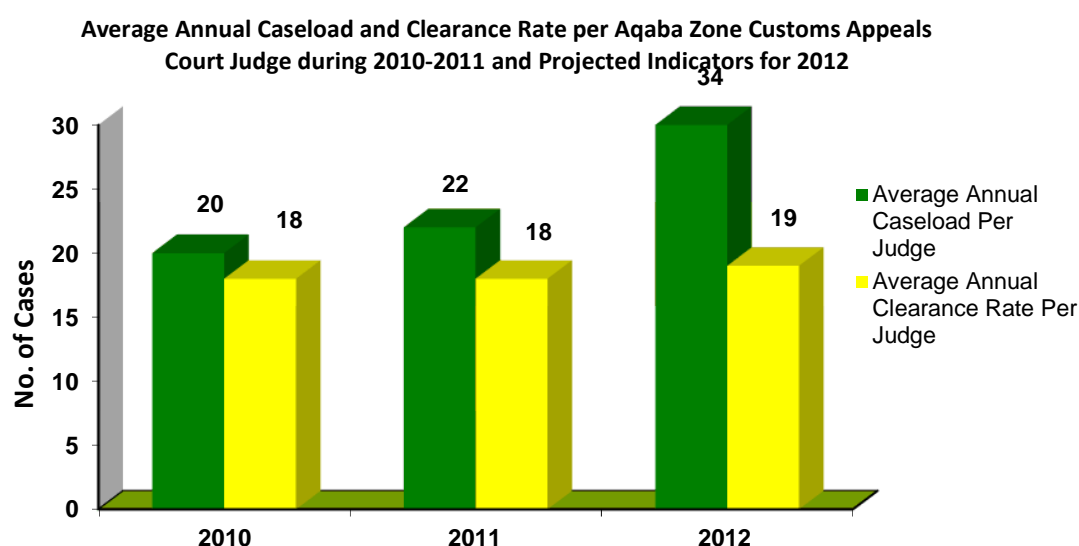
- The average annual caseload per judge during the same period increased from 20 to 22 cases and it is expected to reach 34 cases in 2012.
- The increase in the number of new cases was higher than the case disposition rate. The percentage of disposed cases from the total number of new filings dropped from 142% in 2010 to 93% in 2011. This will lead to an increase in the percentage of backlogged cases from the number of new cases by 7%. In 2012, the percentage of disposed cases from the number of new filings is expected to drop to 61% if the number of judges and the clearance rate remain constant.

**Aqaba Economic Zone Customs Appeals Court Performance Indicators for 2010 – 2011 and
Projected Indicators for 2012**

Indicator	2010	2011	2012
No. of Judges	3	3	3
No. of Panels	1	1	1
No. of Pending Cases	21	6	10
No. of New Cases	38	59	92
No. of Disposed Cases	54	55	56
Total No. of New and Pending Cases	59	65	102
% of Disposed Cases of Total No. of New Cases	%142	%93	%61
Real Average Caseload Per Judge	20	22	34
Real Average Caseload Per Panel	59	65	102
Clearance Rate (Performance Rate) Per Judge	18	18	19
Clearance Rate (Performance Rate) Per Panel	54	55	56

Disposed Cases /(New + Pending Cases)	%91.5	84.6%	%54.9
Average Monthly Caseload Per Judge	2	2	3

1. Percentage of increase during two years (2010 as a base year and 2011) in the number of new cases; 2012 forecast is approximately 55.3%.
2. Percentage of increase during two years (2010 as a base year and 2011) in the number of disposed cases; 2012 forecast is approximately 1.9%.



2.10 Performance Indicators for the Customs First Instance Court

The Customs First Instance Court is based in Amman and specializes in reviewing customs evasion cases, general sales tax cases in addition to other specializations specified in article 222 of Customs Law No. 20 of 1998.

The public prosecution before the Customs First Instance Court is represented by a prosecutor who is appointed by the Minister of Finance from among the ministry's Legal Department staff. The decisions of the court are subject to appeal before a special court, which is the Customs Appeals Court that is formed of three judges; its decisions are subject to appeal before the Court of Cassation in cases of

which the value of the claim or customs fines or confiscated items is not less than five thousand Jordanian dinars (JD 5.000) or if the dispute in other cases is over a new legal point or the case is highly complex or is of significance importance and the Customs Court of Appeal or the Court of Cassation provided permission for appeal.

The number of new filings at the Customs First Instance Court over the past two years witnessed an upward trend. The number of new cases registered at the Court increased significantly from 1,109 cases in 2010 to 1,646 cases in 2011, an increase of 48.8%, and is expected to increase in 2012 if the percentage remains constant to 2,443 cases. Similarly, the number of disposed cases increased from 1206 cases in 2010 to 1574 cases in 2011 registering an increase of 30.5%; it is expected to further increase at the same rate during 2012 to reach 2054 cases. Following are the main results:

- The annual caseload per judge is also tending towards an upward trend, whereby it increased from 382 cases in 2010 to 391 cases in 2011 and it is expected to continue to increase in 2012 to reach 515 cases as a result of the high projected increase in the number of new filings during the coming year.
- The rate of increase in the annual case disposition rate per judge was slower than the increase in the number of new filings at the court. Disposed cases from the total number of new filings dropped from 108.7% in 2010 to 95.6% in 2011, and is expected to decrease to 84.1% in 2012 if the disposition rate remains constant and the number of judges remains the same.
- The steady rate of increase in the number of new cases is higher than the rate of increase in case disposition. This will lead, in 2012, to an increase in the number of pending cases if the disposition rate remains constant and the number of new filings remains the same.

Customs First Instance Court Performance Indicators for 2010 – 2011 and Projected Indicators for 2012

Indicator	2010	2011	2012
No. of Judges	7	7	7
No. of Pending Cases	1566	1093	1165
No. of New Cases	1109	1646	2443
No. of Disposed Cases	1206	1574	2054
Total No. of New and Pending Cases	2675	2739	3608
% of Disposed Cases of Total No. of New Cases	%108.7	%95.6	%84.1
Real Average Caseload Per Judge	382	391	515

Clearance Rate (Performance Rate) Per Judge	172	225	293
Disposed Cases /(New + Pending Cases)	45.1%	%57.5	%56.9
Average Monthly Caseload Per Judge	32	33	43

1. Percentage of increase during two years (2010 as a base year and 2011) in the number of new cases; 2012 forecast is approximately 48.4%.
2. Percentage of increase during two years (2010 as a base year and 2011) in the number of disposed cases; 2012 forecast is approximately 30.5%.

2.11 Performance Indicators for the Aqaba Economic Zone Customs First Instance Court

The Aqaba Economic Zone Customs First Instance Court is led by one judge appointed by the Judicial Council. This court reviews cases brought before it that fall within its jurisdiction in relation to customs cases. Its decisions are subject to appeal before the Aqaba Economic Zone Customs Appeals Court.

The data listed in the below table show a steady decline in the number of cases filed at the court. The number of cases decreased to nearly half the number of filings in the previous year, where it dropped from 83 cases in 2010 to 42 cases in 2011, a decrease of 49.4%. It is expected that in 2012 the number will also drop by half to 21 cases. The same applied to the number of disposed cases which decreased substantially from 105 to 55 cases during the same period. It is expected that the number of disposed cases in 2012 will further drop to 48 cases if the percentage remains constant. Following are the main results:

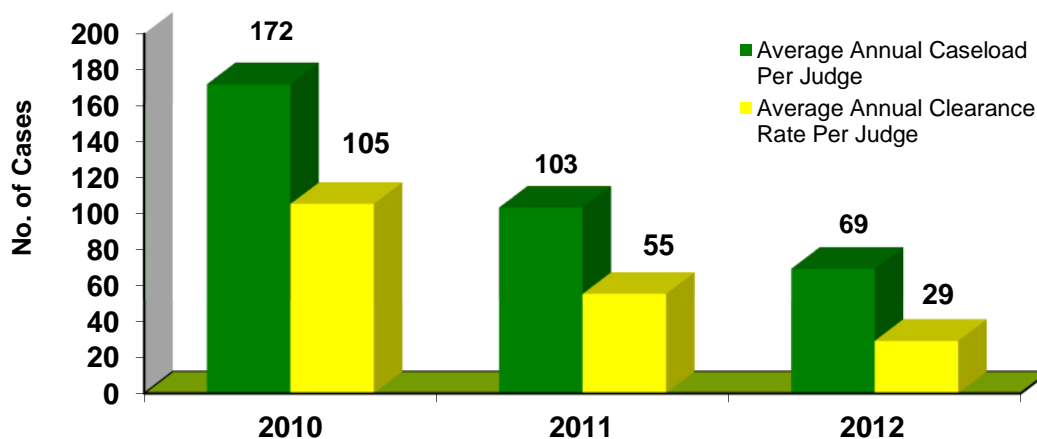
- The average caseload per judge underwent a slight decrease from 172 cases in 2010 to 103 cases in 2011, and is expected to decrease to 69 cases in 2012.
- The decrease in the number of disposed cases was matched by a decrease in the average annual case disposition rate per judge whereby it dropped from 105 cases in 2011 to 55 cases in 2011 and is expected to further decrease to 29 cases in 2012 if the disposition rate remains the same.
- The decrease in the number of new cases registered annually at the Aqaba Zone Customs First Instance Court indicates a decrease in the number of economic crimes, which constitutes a positive phenomenon in terms of the development and growth of the economy in Aqaba.

Aqaba Economic Zone Customs First Court Performance Indicators for 2010 – 2011 and Projected Indicators for 2012

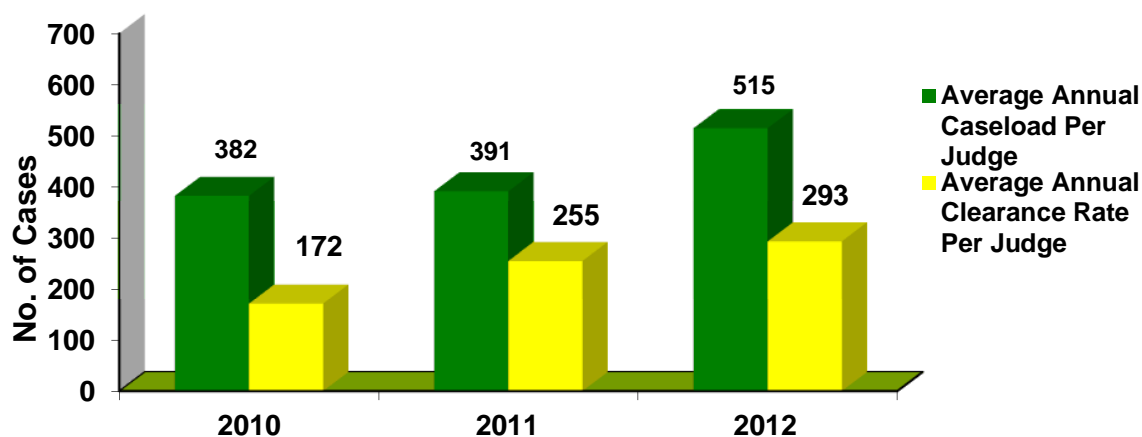
Indicator	2010	2011	2012
No. of Judges	1	1	1
No. of Pending Cases	89	61	48
No. of New Cases	83	42	21
No. of Disposed Cases	105	55	29
Total No. of New and Pending Cases	172	103	69
% of Disposed Cases of Total No. of New Cases	%126.5	%131.0	%138
Real Average Caseload Per Judge	172	103	69
Clearance Rate (Performance Rate) Per Judge	105	55	29
Disposed Cases / (New + Pending Cases)	%61.0	%53.4	%42
Average Monthly Caseload Per Judge	14	9	6

1. Percent of decrease during two years (2010 as a base year and 2011) in the number of new cases; 2012 forecast is approximately 49.4%.
2. Percent of decrease during two years (2010 as a base year and 2011) in the number of disposed cases; 2012 forecast is approximately 47.6%.

Average Annual Caseload and Clearance Rate per Aqaba Zone Customs First Instance Court Judge during 2010-2011 and Projected Indicators for 2012



Average Annual Caseload and Clearance Rate per Customs First Instance Court Judge during 2010-2011 and Projected Indicators for 2012



2.12 Performance Indicators for the State Properties Court

The State Properties Court is presided over by a Cassation-level judge and the membership of two judges appointed by the Judicial Council, in addition to their other judicial duties. The Public Prosecution is represented by the Attorney General or the State Lawyer, each according to his/her jurisdiction. The court convenes at the place and time designated by its Chief Judge. Article 4 of the Protection of the State Properties Law No. 17 of 1996 specifies the jurisdiction of the court as follows:

1. The jurisdiction of this court is to conduct trials related to any movable or immovable property that was leaked to any person by any employee or the accused or the person who has committed the civil violation and who is believed to have sold, donated, leased or mortgaged the property in order to prevent its seizure by the State.
2. Investigate any movable or immovable property which the employee or the accused or the person who has committed the civil violation is believed to have improved, built a building on, planted on any trees or conducted any other measure as a result of illegally obtaining the property of the state, whether such movable or immovable property is registered under his name or that of his wife, relatives or any other foreign person.
3. The court applies the provisions of this law to any person or employee who was proved definite by the decision of the competent court or by his/her written admission, to have transferred

state property to his ownership by virtue of his trust to manage, supervises, or receives such property, even if not prosecuted criminally, for any reason whatsoever.

4. If the acts which the employee, the accused, or the person who has committed the civil violation were committed during the period in which he occupied the position, then all immovable property registered in the name of the convicted employee since assuming the position, or those registered under the name of his parents, children, wife or siblings shall be considered the property of the State, unless the person was able to prove that the immovable asset registered under his name is not from among said property.
5. Conduct a trial in any civil violation, and determine the amount of compensation due to the State as the result of the acts committed by the accused or the person who has committed the civil violation and the party responsible for payment.

The law authorizes the State Properties Court the power to prevent anyone from traveling and place precautionary attachment against any assets which the Attorney General or the State Lawyer request until the results of the case proceedings are issued.

Court proceedings are recorded, unless it is deemed otherwise. Its judgments can be appealed to the Court of Cassation according to the provisions of the Civil Procedures Code. The right to appeal is that of the Attorney General, the State Lawyer or the sentenced within thirty days from the date of which the judgment was pronounced, if issued in the presence of the parties, or from the date the notice is served in the event the judgment is issued in absentia. The amount of funds ruled by the court is recovered from the convicted or the civil offender in accordance with the Collection of State Funds Law.

The number of cases filed at the State Properties Court are witnessing a downward trend whereby the number of case filings dropped from 176 cases in 2010 to 94 cases in 2011, a decrease of 46.6%. It is expected that the number will further decrease to 50 cases in 2012. The same applies to the number of disposed cases which dropped from 191 to 96 cases, a drop of 49.7%, during the same period. Following are the main conclusions:

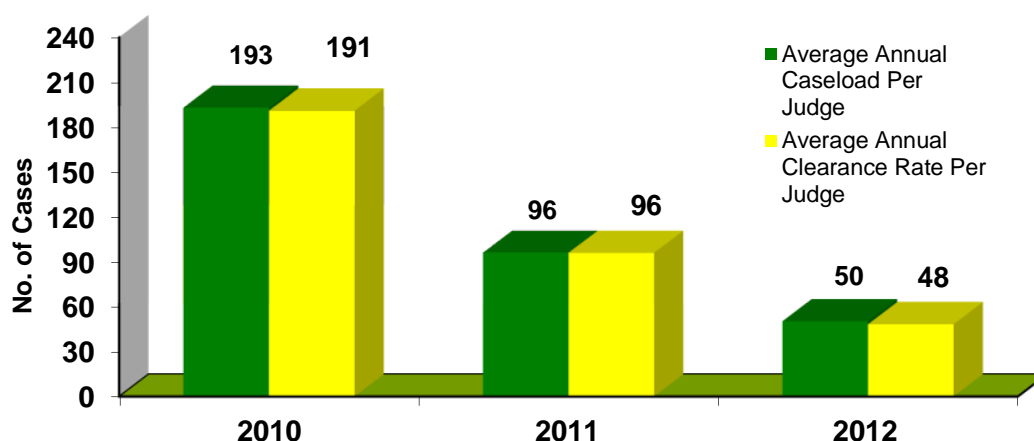
- It can be noted that over the last two years, the number of disposed cases was higher than the number of new cases, which resulted in reducing the number of pending cases to only two cases in 2011. It is expected that in 2012, all pending cases would be disposed if the percentages remained constant.
- The average caseload per judge decreased from 193 cases in 2010 to 96 cases in 2011. It is expected that the caseload will further drop to approximately half in 2012. This anticipated decrease is the expected result of the decline in the number of cases filed at the court and the increase in the rate of case disposition.

State Property Court Performance Indicators for 2010 – 2011 and Projected Indicators for 2012

Indicator	2010	2011	2012
No. of Judges	1	1	1
No. of Pending Cases	17	2	0
No. of New Cases	176	94	50
No. of Disposed Cases	191	96	48
Total No. of New and Pending Cases	193	96	50
% of Disposed Cases of Total No. of New Cases	%108.5	%102.1	%96
Real Average Caseload Per Judge	193	96	50
Clearance Rate (Performance Rate) Per Judge	191	96	48
Disposed Cases /(New + Pending Cases)	99.0%	100.0%	96%
Average Monthly Caseload Per Judge	16	8	4

1. Percentage of decrease during two years (2010 as a base year and 2011) in the number of new cases; 2012 forecast is approximately 46.4%.
2. Percentage of decrease during two years (2010 as a base year and 2011) in the number of disposed cases; 2012 forecast is approximately 49.7%.

Average Caseload and Clearance Rate per State Properties Court Judge during 2010-2011 and Projected Indicators for 2012



2.13 Performance Indicators for the Lands Settlement Court

The Lands Settlement Court is composed of a single judge who is appointed in accordance to the Regular Courts Formation Law. It has jurisdiction over reviewing and adjudicating all objections filed by concerned parties on the table of rights pertinent to issues related to land and water settlements.

Land and water settlement means the resolution of all issues and disputes related to any right of action, ownership, or benefit, or any other rights related to land or water and are subject to registration. The term (land) here refers to state public lands that are pledged or owned as well as buildings, trees and anything other thing that s fixed in the ground.

The number of cases filed at the Lands Settlement Court over the last two years was declining; the number of case filings dropped from 2,892 cases in 2010 to 2,639 cases in 2011, a decrease of 8.7%. It is expected that the number of new filings in 2012 will drop to 2,408 cases if the percentage remains constant. Also, the number of disposed cases over the same period dropped at a similar rate, 8.5%, from 2,952 to 2700 cases; it is expected to decrease further in 2012 to 2,479 cases if the percentage remains constant. Following are the main results:

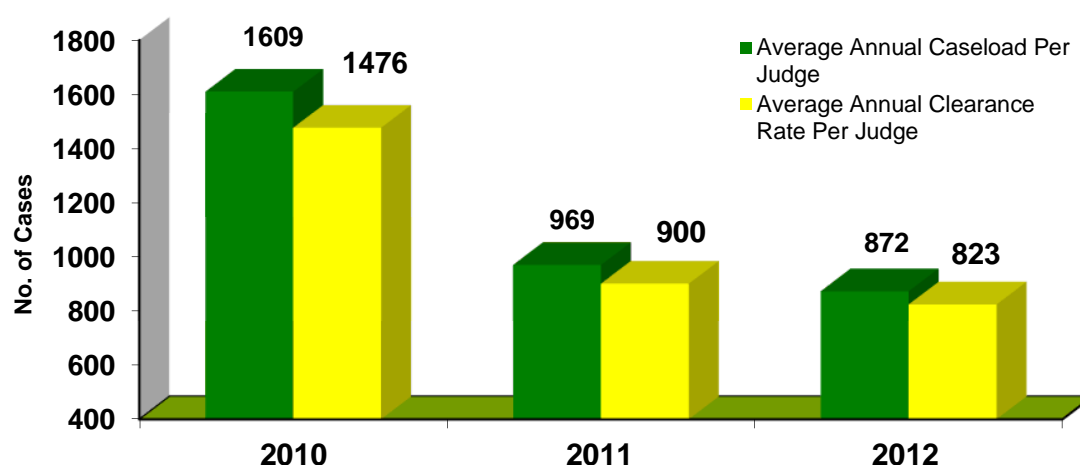
- The number of judges increased from 2 judges in 2010 to 3 in 2011. Accordingly, the caseload per judge during the same period dropped from 1,609 cases to 969 cases and is expected to drop to an average of 872 cases in 2012.
- The average clearance rate per judge dropped from 1,476 cases to 900 cases during the same period and it is expected to drop to 823 cases in 2012 if the clearance rate per judge remained constant.

Lands Settlement Court Performance Indicators for 2010 – 2011 and Projected Indicators for 2012

Indicator	2010	2011	2012
No. of Judges	2	3	3
No. of Pending Cases	325	268	207
No. of New Cases	2892	2639	2408
No. of Disposed Cases	2952	2700	2470
Total No. of New and Pending Cases	3217	2907	2615
% of Disposed Cases of Total No. of New Cases	102.1%	102.3%	102.6%
Real Average Caseload Per Judge	1609	969	872
Clearance Rate (Performance Rate) Per Judge	1476	900	823
Disposed Cases /(New + Pending Cases)	91.8%	92.9%	94.5%
Average Monthly Caseload Per Judge	134	81	73

1. Percentage of decrease during two years (2010 as a base year and 2011) in the number of new cases; 2012 forecast is approximately 8.9%.
2. Percentage of decrease during two years (2010 as a base year and 2011) in the number of disposed cases; 2012 forecast is approximately 8.5%.

Average Annual Caseload and Clearance Rate per Lands Settlement Court Judge during 2010-2011 and Projected Indicators for 2012



2.14 Performance Indicators for the Income Tax First Instance Court

The Income Tax First Instance Court was established to be specialized in reviewing what is filed by the tax payer in valuation and revaluation decisions under the provisions of the Income Tax Law. It also reviews claims for fines and additional amounts, and any amounts that must be discounted, paid or deducted as a final tax or payment on account in accordance with the provisions of the Income Tax Law.

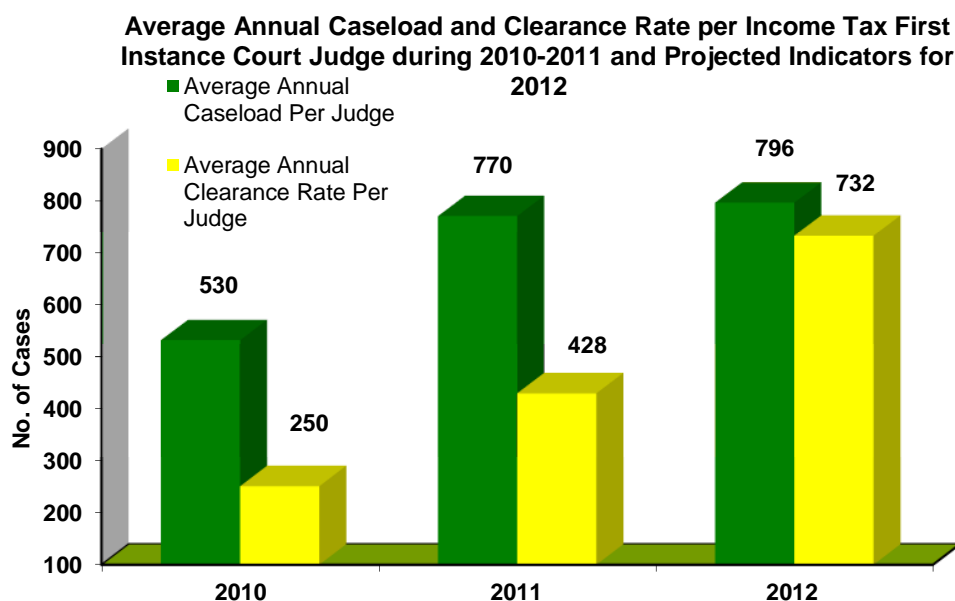
The number of cases filed at the Income Tax First Instance Court over the past two years was declining, whereby the number of cases filed in 2010 amounted to 2,648 cases, dropping by 7.4% in 2011 to 2,453 and is expected to decrease to 2,272 cases in 2012 if the percentage remains constant. On the other hand, the number of disposed cases increased significantly from 1,252 cases in 2010 to 2,140 cases in 2011, an increase of 70.9%, and is expected to further increase in 2012 to 3,658 cases if the percentage remains constant. Following are the main results:

- The average annual caseload per judge witnessed a significant increase from 530 cases in 2010 to 770 cases in 2011. This increase was the result of the increase in the number of new cases. It is expected that in 2012 the caseload per judge will increase to 796 cases provided that the number of judges, which is five judges, remains constant.
- The average annual clearance rate per judge during the same period increased from 250 to 428 cases. It is expected that the annual average will increase to 732 cases if the number of judges remains constant.
- It is expected that, if the clearance rate continues to increase and the number of filings continues to drop, all backlog and pending cases will be disposed of in less than two years.

**Income Tax First Instance Court Performance Indicators for 2010 – 2011 and Projected
Indicators for 2012**

Indicator	2010	2011	2012
No. of Judges	5	5	5
No. of Pending Cases	0	1396	1709
No. of New Cases	2648	2453	2272
No. of Disposed Cases	1252	2140	3658
Total No. of New and Pending Cases	2648	3849	3981
% of Disposed Cases of Total No. of New Cases	47.3%	87.2%	161.0%
Real Average Caseload Per Judge	530	770	796
Clearance Rate (Performance Rate) Per Judge	250	428	732
Disposed Cases /(New + Pending Cases)	47.3%	55.6%	91.9%
Average Monthly Caseload Per Judge	44	64	66

1. Percentage of decrease during two years (2010 as a base year and 2011) in the number of new cases; 2012 forecast is approximately 7.4%.
2. Percentage of increase during two years (2010 as a base year and 2011) in the number of disposed cases; 2012 forecast is approximately 70.9%.



2.15 Performance Indicators for the Aqaba Income Tax First Instance Court

The Aqaba Income Tax First Instance Court is the competent court to review appeals made by tax payers in Aqaba related to decisions pertaining to valuation and revaluation decisions under the provisions of the Income Tax Law, claims for fines and additional amounts, and any amounts that must be discounted, paid or deducted as a final tax or payment on account in accordance with the provisions of the Income Tax Law.

Results listed in the below table show that the number of cases filed at the Aqaba Income Tax First Instance Court is rising, as the number of filings increased from 25 cases in 2010 to 61 cases in 2011, an increase of 144%. The number of filings in 2012 is expected to further increase to 149 cases if the percentage remains constant. The number of disposed cases during the same period also increased significantly from 12 to 51 cases, an increase of 325%. It is expected that the number of disposed cases in 2012 will increase to 217 if the percentage remains constant. Following are the main results:

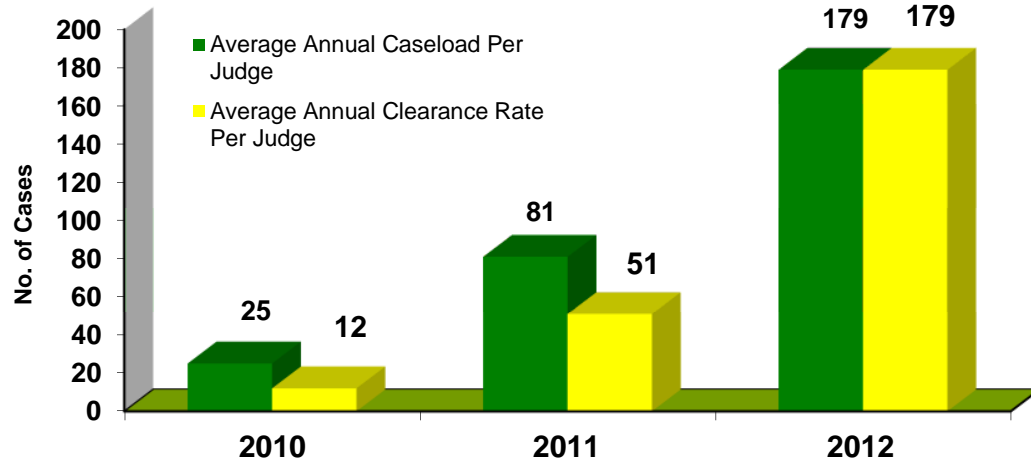
- The real caseload per judge is multiplied by more than three times from 25 cases in 2010 to 81 cases in 2011; cases are expected to increase to 179 cases in 2012. This increase in caseload was the result of the increase in the number of case filings while the number of judges remained constant.
- Similarly, and during the same period, the average rate of case disposition per judge increased from 12 to 51 cases and is expected to reach 217 cases in 2012; the backlog of cases will also be fully disposed if the percentage of new filings and case disposition remain the same.

**Aqaba Economic Zone Customs First Instance Court Performance Indicators for 2010 – 2011
and Projected Indicators for 2012**

Indicator	2010	2011	2012
No. of Judges	1	1	1
No. of Pending Cases	0	20	30
No. of New Cases	25	61	149
No. of Disposed Cases	12	51	179
Total No. of New and Pending Cases	25	81	179
% of Disposed Cases of Total No. of New Cases	48.0%	83.6%	120.1%
Real Average Caseload Per Judge	25	81	179
Clearance Rate (Performance Rate) Per Judge	12	51	179
Disposed Cases /(New + Pending Cases)	48%	63.0%	100%
Average Monthly Caseload Per Judge	2	7	15

1. Percentage of increase during two years (2010 as a base year and 2011) in the number of new cases; 2012 forecast is approximately 144%.
2. Percentage of increase during two years (2010 as a base year and 2011) in the number of disposed cases; 2012 forecast is approximately 325%.

**Average Annual Caseload and Clearance Rate per Aqaba Zone Income Tax
First Instance Court Judge during 2010-2011 and Projected Indicators for
2012**



Performance Indicators of Special Courts for 2010 – 2011 and Projected Indicators for 2012

Court	Year	No. of Judge	No. of Pending Cases	No. of New Cases	No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases / (New + Pending Cases)	Average Monthly Caseload Per Judge
Court of Higher Justice	2010	6	164	546	534	710	%97.8	118	89	75.2%	10
	2011	6	176	473	507	649	%107.2	108	85	78.1%	9
	2012	6	142	410	481	552	%117.5	92	80	87.2%	8
Major Felonies Court	2010	20	1084	1490	1510	2574	%101.3	129	76	58.7%	11
	2011	20	1064	1544	1967	2608	%127.4	130	98	%75.4	11
	2012	20	641	1600	2241	2241	%140	112	112	100%	9
Income Tax Appeals Court	2010	10	902	1010	1383	1912	%136.9	191	138	72.3%	16
	2011	10	529	690	954	1219	%138.3	122	95	78.3%	10
	2012	10	265	471	658	736	%139.7	74	66	89.4%	6
Customs Appeals Court	2010	6	670	625	884	1295	%141.4	216	147	68.3%	18
	2011	6	411	742	967	1153	%130.3	192	161	83.9%	16
	2012	6	186	881	1058	1067	%120.1	178	176	99.1%	15

Court	Year	No. of Judge	No. of Pending Cases	No. of New Cases	No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases / (New + Pending Cases)	Average Monthly Caseload Per Judge
Aqaba Economic Zone Customs Appeals Court	2010	3	21	38	54	59	%142.1	20	18	91.5%	2
	2011	3	6	59	55	65	%93.2	22	18	84.6%	2
	2012	3	10	92	56	102	%60.9	34	19	54.9%	3
Customs First Instance Court	2010	7	1566	1109	1206	2675	%108.7	382	172	45.1%	32
	2011	7	1093	1646	1574	2739	%95.6	391	225	57.5%	33
	2012	7	1165	2443	2054	3608	%84.1	515	293	56.9%	43
Aqaba Economic Zone Customs First Instance Court	2010	1	89	83	105	172	%126.5	172	105	61.0%	14
	2011	1	61	42	55	103	%131.0	103	55	53.4%	9
	2012	1	48	21	29	69	%138	69	29	%42	6
State Properties Conciliation Court	2010	1	17	176	191	193	%108.5	193	%191	99.0%	16
	2011	1	2	94	96	96	%102.1	96	96	%100.0	8
	2012	1	0	50	48	50	%96	50	48	96%	4
Lands Settlement	2010	2	325	2892	2952	3217	%102.1	1609	1476	91.8%	134

Court	Year	No. of Judge	No. of Pending Cases	No. of New Cases	No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases / (New + Pending Cases)	Average Monthly Caseload Per Judge
Court	2011	3	268	2639	2700	2907	%102.3	969	900	92.9%	81
	2012	3	207	2408	2470	2615	%102.5	872	823	94.5%	73
	2010	56	4838	7969	8819	12807	%110.7	229	157	68.9%	19
Total	2011	57	3610	7929	8875	11539	%111.9	202	156	%76.9	17
	2012	57	2664	8376	9095	11040	%108.6	194	165	82.4%	16

2.16 Performance Indicators for First Instance Courts

Article 4 of the Regular Courts Formation Law states that First Instance Courts shall be established in governorates, districts or any other place in accordance to a regulation that defines the geographic jurisdiction of each. First Instance courts have jurisdiction over all civil and criminal cases that have not been assigned to any other court (possessing general jurisdiction). Each court is formed of a Chief Judge and a number of judges, as needed, and spread over different regions of the Kingdom. Criminal proceedings are convened as follows:

1. A single judge when reviewing misdemeanors that do not fall within the jurisdiction of a Conciliation judge according to Conciliation Courts Law.
2. Two judges when reviewing felony cases that do not fall within the jurisdiction of the Major Felonies pursuant to its law.
3. Three judges when presiding over criminal cases that are punishable by capital punishment, hard labor for life, life imprisonment, temporary arrest, temporary hard labor for a period not less than fifteen years, and which fall outside the jurisdiction of the Major Felonies pursuant to its law.

a. Performance Indicators for First Instance Courts

There are 16 First Instance Courts in Jordan spread across the governorates of the Kingdom. There are four courts in the northern part: Irbid First Instance Court, Jerash First Instance Court, Ajloun First Instance Court, and Mafrq First Instance Court. In the central part of the country there are eight First Instance Courts: Amman First Instance Court, East Amman First Instance Court, North Amman First Instance Court, West Amman First Instance Court, South Amman First Instance Court, Salt First Instance Court, Zarqa First Instance Court and Madaba First Instance Court. As for the south, there are four courts which are: Maan First Instance Court, Aqaba First Instance Court, Tafilah First Instance Court and Karak First Instance Court.

The following table shows the performance indicators of all First Instance Courts. Results show the increase in the number of First Instance judges from 188 in 2010 to 202 in 2011, an increase of 7.4%. The number of cases filed at courts is witnessing an increasingly upward trend, whereby the number of cases increased from 67,663 cases in 2010 to 80,315 in 2011, an increase of 18.7%. It is expected that in 2012 the number of new filings will further increase to 95,333 cases if the percentage of increase remains constant. Furthermore, the number of disposed cases also witnessed a high percentage of increase, whereby the number of disposed cases increased from 70,062 cases in 2010 to 84,766 cases in

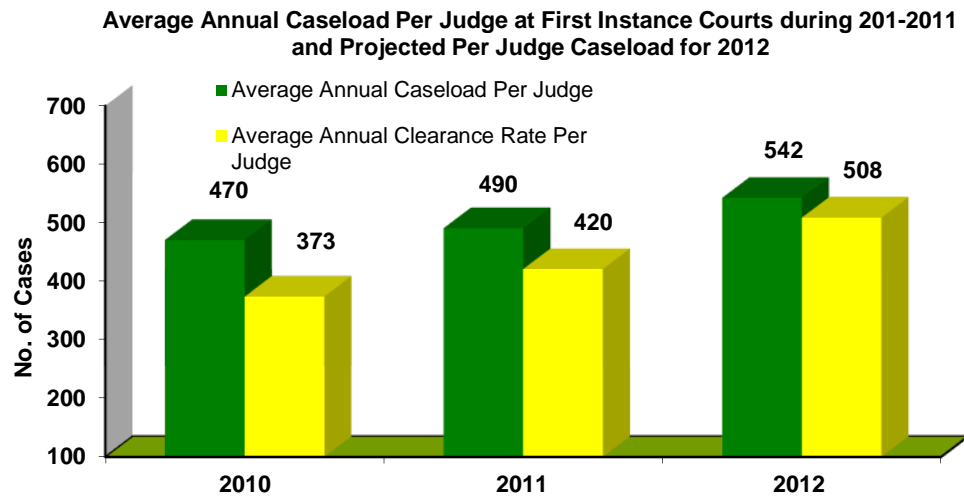
2011, an increase of 21%. Case disposition rate is expected to further increase in 2012 to 102,556 cases if the percentage remains constant. Following are the main results:

- The real average caseload per judge increased from 470 cases in 2010 to 490 cases in 2011. This increase was the result of the significant increase in the number of new filings while the increase in the number of judges was not commensurate with the increase in the number of new cases. This led to an increase in the average caseload per judge. It is expected that the average annual caseload in 2012 will increase to 542 cases. In order to reduce the caseload per judge, it is necessary to increase the number of judges.
- The case disposition rate per judge during the same period increased from 373 to 420 cases. It is expected that in 2012, the average rate of case disposition per judge will increase to 508 cases.
- The number of pending cases is tending to decline. This is so due to the increase in the number of disposed cases, which was 6% higher than the number of new cases in 2010 and is expected to reach 8% in 2012.
- The average annual caseload per judge, which in 2011 amounted to 490 cases and the average annual case disposition rate per judge which reached 420 cases across all First Instance Courts, are considered the base on which the performance of each First Instance Court is measured. Some of these courts have caseload and clearance rates per judge that are higher than the overall average, while some registered lower rates, which will be mentioned when presenting the performance of First Instance Courts across the Kingdom.

Performance Indicators of First Instance Courts for the Years 2010 – 2011 and Projected Indicators for 2012

Year	No. of Judges	No. of Pending	No. of New Cases	No. of Disposed Cases	Total No. of New and Pending Cases	% of Disposed Cases of New Filings	Average Annual Caseload Per Judge	Average Rate of Case Disposition Per Judge	Disposed Cases / (Pending + New Cases)	Average Monthly Caseload Per Judge
2010	188	20787	67663	70062	88450	103.5%	470	373	79.2%	39
2011	202	18570	80315	84766	98885	105.5%	490	420	85.7%	41
2012	202	14119	95333	102556	109452	107.6%	542	508	93.7%	45

1. Percentage of increase during two years (2010 as a base year and 2011) in the number of new cases; 2012 forecast is approximately 18.7%.
2. Percentage of increase during two years (2010 as a base year and 2011) in the number of disposed cases; 2012 forecast is approximately 21%.



b. Performance Indicators of First Instance Courts According to Case Type

The table below lists the performance indicators of first instance courts classified according to the type of cases filed and disposed which are as follows: felonies, misdemeanors, cases appealed from conciliation courts, civil cases and treasury cases. The total number of cases filed at first instance courts amounted to 53,067 cases and the number of disposed cases reached 57,756.

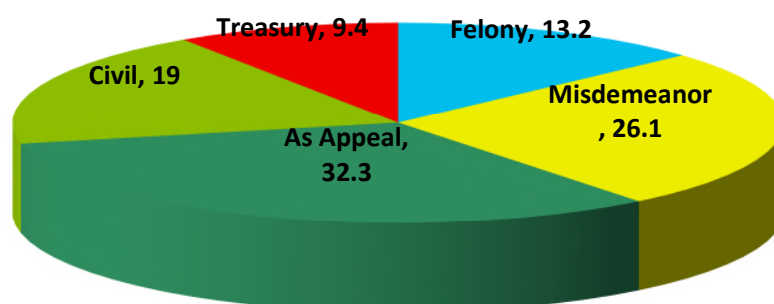
The percentage of cases filed at First Instance Courts in their capacity as Courts of Appeal amounted to almost one third (32.3%) of the cases. Civil cases comprised 19%, criminal cases amounted to 13.2% and finally treasury cases constituted 9.4% of total case filings. The equivalent of all filings across all case types as well as a percentage of backlog cases was disposed. This indicates that the number of pending cases carried over to the next year will decrease at various levels as follows: the percentage of pending felonies cases will decrease by 19.3%, misdemeanor cases will decrease by 23.6%, and pending appealed and civil cases are expected to remain unchanged.

2011 Performance Indicators of First Instance Courts Classified According to Case Type

Court	No. of Pending Cases	No. of New Cases	Total No. of Pending & New Cases	No. of Disposed Cases	% of Disposed Cases of New Filings	Disposed Cases / (Pending + New Cases)

Felonies	3739	7010	10749	8365	119.3%	77.8%
Misdemeanors	5864	13837	19701	17099	123.6%	86.8%
In its Capacity as an Appeals Court	912	17146	18058	17022	99.3%	94.3%
First Instance Civil	6754	10105	16859	10124	100.2%	60.1%
Treasury	1249	4969	6218	5146	03.6%	82.8%
Total	18518	53067	71585	57756	108.8%	80.7%

Percentage Distribution of New Filings At First Instance Courts during 2011 Classified According to Case Type



c. Performance Indicators of First Instance Courts Classified According to Court

There are 16 First Instance Courts in Jordan spread across the central, northern and southern parts of the Kingdom. The percentage of change in the number of new and disposed cases varied between courts whereby some had significant increases, some had slight increases, and others had either a high or low decrease rate as follows:

1. Change in Case Filings and Case Dispositions of First Instance Courts

The table below shows the percentage of change (increase or decrease) in the number of new filings and cases disposed at all First Instance Courts between 2010 and 2011. From the results, it can be noted that

the change in the number of new cases was accompanied by a matching increase in the number of disposed cases. The majority of First Instance Courts (12 courts), witnessed varying increases in the number of new filings and disposed cases. The rest of First Instance Courts witnessed varying levels of decline in the number of new filings and case disposition as follows:

- **East Amman First Instance Court:** The East Amman First Instance Court witnessed the highest increase in the number of new filings from 2010–2011, registering an increase of 59%. In 2010; the number of new filings was 3,337 cases and which increased in 2011 to 5,307 and is expected to further increase to 8,440 cases in 2012. The high increase in the number of new filings was met with a significant increase in the number of disposed cases, registering an increase of 59.8%.
- **North Amman First Instance Court:** The North Amman First Instance Court increased its new filings from 2010–2011 to 39.9%. The number of cases increased from 4,643 cases in 2010 to 6,496 cases in 2011 and is expected to further increase to 9,089 cases in 2012. The case disposition rate amounted to 39.9%, matching the increase in the number of new filings, which means that number of cases carried over to the next year did not increase.
- **West Amman First Instance Court:** The West Amman First Instance Court ranked third in terms of increased number of new cases, which registered an increase of 38.9%. The increase in case disposition rate exceeded the percentage increase in the number of new filings, which amounted to 49.8%.
- **Amman First Instance Court:** The Amman First Instance Court ranked fourth whereby the percentage increase in the number of new cases amounted to 34%. In terms of numbers, the number of new filings increased from 12,082 cases in 2010 to 16,185 cases in 2011. With regard to increased case disposition rate, it amounted to 34.7% and was commensurate with the increase in the number of new cases.
- As for the courts that had a slight increase in the number of new filings they were: South Amman First Instance Court which registered a 9% increase rate in new filings and a 25.9% increase rate in case disposition; Irbid First Instance Court which registered a 13.3% increase rate in new filings and an increased rate of 14.8% in case disposition; Salt First Instance Court which registered a 5.5% and 27.7% increase in case filings and case disposition rates respectively; Karak First Instance Court which registered a 14.3% and 0.8% increase in case filings and case disposition rates respectively; Ajloun First Instance Court which registered a 10.7% and 8.8% increase in case filings and case disposition rates respectively; Jerash First Instance Court which registered a 23.2% and 27.7% increase in case filings and case disposition rates respectively; and finally Madaba First Instance Court which registered a 14.6% and 20% increase in case filings and case disposition rates respectively.
- The dip in percentage of the number of new filings at four First Instance Courts ranged between – 38% for new filings and -39% for disposed cases, registering the highest drop rate, followed by Tafilah First Instance Court (- 12.4% and – 18.1%), Aqaba First Instance Court (- 8.9% and – 0.7%) and Mafraq First Instance Court (- 7.7% and – 8.2%).

Percentage Change (Increase/Decrease) in the Number of New and Disposed Cases at First Instance Courts in 2011 Compared to 2010 as Base Year

Court	Percentage of New Filings	Percentage of Disposed Cases
Amman First Instance Court	34.0+	34.7+
East Amman First Instance Court	59.0+	59.8+
West Amman First Instance Court	38.9+	49.8+
North Amman First Instance Court	39.9+	39.9+
South Amman First Instance Court	9.2+	25.9+
Irbid First Instance Court	13.3+	14.8+
Zarqa First Instance Court	6.4+	4.4+
Salt First Instance Court	5.1+	27.7+
Mafrq First Instance Court	7.7-	8.2-
Karak First Instance Court	14.3+	0.8+
Ajloun First Instance Court	10.7+	8.8+
Jerash First Instance Court	23.2+	27.7+
Maan First Instance Court	38.0 -	39.0-
Aqaba First Instance Court	8.9 -	0.7-
Madaba First Instance Court	14.6+	20.0+
Tafilah First Instance Court	12.4-	18.1-
Total	18.7+	21.0+

2. Change in the Average Caseload and Clearance Per Judge at First Instance Courts

The overall average of the annual caseload per judge across all First Instance Courts amounted to 490 cases, while the average clearance rate per judge reached 420 cases. At the level of all First Instance Courts in the Kingdom, a number of courts are characterized by having an above average caseload per judge, while others have lower caseloads per judge. Following are the main findings:

- **Amman First Instance Court:** The average annual caseload per judge increased from 326 cases to 393 cases, despite the increase in the number of judges by 1 judge, from 49 to 50 judges. At the same time, the performance rate per judge increased from 255 cases in 2010 to 337 cases in 2011.
- **West Amman First Instance Court:** The average annual caseload per judge increased from 300 cases to 367 cases, despite the increase in the number of judges from 14 to 15 judges. The performance rate per judge increased from 226 cases to 316 cases during the same period.
- **North Amman First Instance Court:** The average annual caseload per judge increased from 512 cases to 535 cases, despite the increase in the number of judges by 3 from 12 to 15 judges. The performance rate per judge during the same period increased from 385 cases to 431 cases.
- **East Amman First Instance Court:** The average annual caseload per judge increased from 424 cases to 680 cases, despite the decrease in the number of judges by 1 judge, from 10 to 9 judges. The performance rate per judge during the same period increased from 343 cases to 608 cases.
- **Ajloun First Instance Court:** The average annual caseload per judge increased from 495 cases to 607 cases, despite the decrease in the number of judges by 1 judge, from 7 to 6 judges. The performance rate per judge during the same period increased from 388 cases to 493 cases.
- **South Amman First Instance Court:** The average annual caseload per judge increased from 554 cases to 580 cases, despite the constant number of judges which remained at 14 judges. The performance rate per judge increased from 397 cases to 500 cases.
- **Karak First Instance Court:** The average annual caseload per judge increased from 717 cases to 749 cases, while the number of judges during the same period remained constant at 7 judges.
- **Irbid First Instance Court:** The average caseload per judge dropped from 689 cases to 591 cases. At the same time, the number of judges increased from 22 to 27 judges, which led to a reduction in the performance rate from 562 cases to 526 cases.
- **Maan First Instance Court:** The average annual caseload per judge dropped from 191 cases to 143 cases. The performance rate during the same period decreased from 171 cases to 125 cases.
- **Salt First Instance Court:** The average annual caseload per judge decreased as did the number judges which dropped from 10 to 9 judges. The average caseload per judge dropped from 545 cases to 522 cases, and the performance rate increased from 373 cases 429 to 526 cases during the same period.
- **Zarqa First Instance Court:** There was no change in the average caseload per judge; it remained constant at 718 cases per year. The performance rate of judges witnessed a slight increase from

621 to 649 cases, while the number of judges during the same period remained constant at 16 judges.

- **Mafrq First Instance Court:** The average annual caseload per judge dropped significantly from 631 cases per year to 355 cases. This is attributed to the increase in the number of judges from 5 to 8 judges. Also, the performance rate per judge dropped from 499 to 287 cases during the same period.
- **Jerash First Instance Court:** The average annual caseload per judge decreased significantly from 440 cases to 386 cases due to the increase in the number of judges, from 5 to 7 judges. The performance rate per judge during the same period decreased from 340 cases to 310 cases.
- **Aqaba First Instance Court:** The average annual caseload per judge decreased from 447 cases to 422 cases, while the number of judges remained constant at 4 judges. The performance rate per judge during the same period decreased from 384 cases to 381 cases.
- **Madaba First Instance Court:** The average caseload per judge decreased from 326 cases to 301 cases due to the increase in the number of judges from 4 to 5 judges. The performance rate per judge during the same period decreased from 287 cases to 275 cases.
- **Tafilah First Instance Court:** The average annual caseload per judge decreased from 134 cases to 115 cases, while the number of judges remained constant at 4 judges. The performance rate per judge during the same period decreased from 119 cases to 97 cases.

Performance Indicators of First Instance Courts during 2010 – 2011 and Projected Indicators for 2012

Court	Year	No. of Judges	No. of Pending Cases	No. of New Cases	No. of Disposed Cases	Total No. of Cases (Pending + New)	% of Disposed Cases of Total No. of New Cases	Real Average Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases / (New + Pending Cases)	Average Monthly Caseload Per Judge
Amman First Instance Court	2010	49	3889	12082	12491	15971	103.4%	326	255	78.2%	27
	2011	50	3479	16185	16826	19664	104.0%	393	337	85.6%	33
	2012	50	2838	21681	22665	24519	104.5%	490	453	92.4%	41
East Amman First Instance Court	2010	10	904	3337	3426	4241	102.7%	424	343	80.8%	35
	2011	9	815	5307	5475	6122	103.2%	680	608	89.4%	57
	2012	9	647	8440	8749	9087	103.7%	1010	972	96.3%	84
West Amman First Instance Court	2010	14	974	3221	3160	4195	98.1%	300	226	75.3%	25
	2011	15	1032	4473	4735	5505	105.9%	367	316	86.0%	31
	2012	15	770	6212	6982	6982	112.4%	465	465	100%	39
North Amman First Instance Court	2010	12	1503	4643	4624	6146	99.6%	512	385	75.2%	43
	2011	15	1523	6496	6470	8019	99.6%	535	431	80.7%	45
	2012	15	1549	9089	9053	10638	99.6%	709	604	85.1%	59
South Amman First Instance	2010	14	2353	5408	5555	7761	102.7%	554	397	71.6%	46
	2011	14	2206	5908	6994	8114	118.4%	580	500	86.2%	48

Court	Year	No. of Judges	No. of Pending Cases	No. of New Cases	No. of Disposed Cases	Total No. of Cases (Pending + New)	% of Disposed Cases of Total No. of New Cases	Real Average Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases / (New + Pending Cases)	Average Monthly Caseload Per Judge
Court	2012	14	1120	6454	7574	7574	117.4%	541	541	100%	45
Irbid First Instance Court	2010	22	3513	11636	12365	15149	106.3%	689	562	81.6%	57
	2011	27	2784	13182	14189	15966	107.6%	591	526	88.9%	49
	2012	27	1777	14933	16282	16710	109.0%	619	603	97.4%	52
Zarqa First Instance Court	2010	16	2226	9254	9943	11480	107.4%	718	621	86.6%	60
	2011	16	1641	9843	10379	11484	105.4%	718	649	90.4%	60
	2012	16	1105	10469	10834	11574	103.5%	723	677	93.6%	60
Salt First Instance Court	2010	9	1401	3501	3359	4902	95.9%	545	373	68.5%	45
	2011	10	1543	3681	4291	5224	116.6%	522	429	82.1%	44
	2012	10	933	3870	4803	4803	124.1%	480	480	100%	40
Mafraq First Instance Court	2010	5	867	2287	2497	3154	109.2%	631	499	79.2%	53
	2011	8	724	2112	2293	2836	108.6%	355	287	80.9%	30
	2012	8	543	1950	2106	2493	108.0%	312	263	84.4%	26
Karak First	2010	7	1298	3719	4045	5017	108.8%	717	578	80.6%	60

Court	Year	No. of Judges	No. of Pending Cases	No. of New Cases	No. of Disposed Cases	Total No. of Cases (Pending + New)	% of Disposed Cases of Total No. of New Cases	Real Average Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases / (New + Pending Cases)	Average Monthly Caseload Per Judge
Instance Court	2011	7	990	4251	4076	5241	95.9%	749	582	77.8%	62
	2012	7	1165	4859	4107	6024	84.5%	861	587	68.2%	72
Ajloun First Instance Court	2010	7	851	2613	2716	3464	103.9%	495	388	78.4%	41
	2011	6	748	2893	2955	3641	102.1%	607	493	81.2%	51
	2012	6	686	3203	3215	3889	100.4%	648	536	82.7%	54
Jerash First Instance Court	2010	5	411	1789	1700	2200	95.0%	440	340	77.3%	37
	2011	7	499	2204	2171	2703	98.5%	386	310	80.3%	32
	2012	7	532	2715	2772	3247	102.1%	464	396	85.4%	39
Maan First Instance Court	2010	6	171	972	1027	1143	105.7%	191	171	89.9%	16
	2011	5	114	603	626	717	103.8%	143	125	87.3%	12
	2012	5	91	374	382	465	102.0%	93	76	82.0%	8
Aqaba First Instance Court	2010	4	218	1571	1534	1789	97.6%	447	384	85.7%	37
	2011	4	255	1431	1523	1686	106.4%	422	381	90.3%	35
	2012	4	163	1303	1466	1466	112.5%	367	367	100%	31

Court	Year	No. of Judges	No. of Pending Cases	No. of New Cases	No. of Disposed Cases	Total No. of Cases (Pending + New)	% of Disposed Cases of Total No. of New Cases	Real Average Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases / (New + Pending Cases)	Average Monthly Caseload Per Judge
Madaba First Instance Court	2010	4	125	1177	1146	1302	97.4%	326	287	88.0%	27
	2011	5	155	1349	1375	1504	101.9%	301	275	91.4%	25
	2012	5	129	1546	1650	1675	106.7%	335	330	98.5%	28
Tafilah First Instance Court	2010	4	83	453	474	536	104.6%	134	119	88.4%	11
	2011	4	62	397	388	459	97.7%	115	97	84.5%	10
	2012	4	71	348	318	419	91.3%	105	79	75.8%	9

d. Backlog Cases Pending for Over Three Years at First Instance Courts and Reasons of Delay

The following table shows the number of cases backlogged of cases at First Instance Courts that are older than three years and still pending. There are 1,469 cases older than three years that constitute only 10.4% of the total number of pending cases, which amounts to 14,119 cases. They constitute 1.3% of the total number of pending cases and new filings and which amount to 109,452 cases.

The highest percentage of old backlog was found to be at the West Amman First Instance Court, amounting to 15.7% of the total number of pending cases, and which stood at 770 cases, followed by the North Amman First Instance Court and Irbid First Instance Court which registered a percent of (14.1%) and (14.2%) respectively from the total number of cases pending from previous years. The lowest percentage of old backlog pending for more than three years was that at Tafilah First Instance Court where no old cases exist, followed by Mafraq First Instance Court (2.8%), Ajloun First Instance Court (4.2%) and Karak First Instance Court (4.7%).

The most common reason for case delay relates to experts which delays cases at a rate of 30.8%, followed by deficiencies in notifications delaying cases at a rate of 25.3%.

Backlog of Cases in 2011 Older than Three Years and Still Pending Before First Instance Courts Classified According To Reason of Delay

Court	No. of Pending Cases	Notifications		Experts		Case Halting		Appeal		Other		Total	% of Backlog (Late) Cases from Pending Cases
		No.	%	No.	%	No.	%	No.	%	No.	%		
Amman First Instance Court	2875	86	23.1%	78	17.3%	5	5.7	66	49.6%	59	13.9%	294	10.2%
East Amman First Instance	647	22	5.9%	30	6.6%	2	2.3	11	8.3%	14	3.3%	79	12.2%
West Amman First Instance	770	29	7.8%	34	7.5%	9	10.2	16	12.0%	33	7.8%	121	15.7%
North Amman First Instance	1548	61	16.4%	52	11.5%	3	3.4	11	8.3%	91	21.5%	218	14.1%

South Amman First Instance Court	1150	8	2.2%	29	6.4%	11	12.5	0	0.0%	13	3.1%	61	5.3%
Irbid First Instance Court	1777	65	17.5%	71	15.7%	41	46.6	5	3.8%	71	16.7%	253	14.2%
Zarqa First Instance Court	1105	34	9.1%	34	7.5%	0	0.0	5	3.8%	63	14.9%	136	12.3%
Salt First Instance Court	937	25	6.7%	53	11.7%	1	1.1	2	1.5%	30	7.1%	111	11.8%
Mafrq First Instance Court	543	2	0.5%	4	0.9%	2	2.3	5	3.8%	2	0.5%	15	2.8%
Karak First Instance Court	1165	15	4.0%	9	2.0%	8	9.1	3	2.3%	20	4.7%	55	4.7%
Ajloun First Instance Court	686	5	1.3%	13	2.9%	1	1.1	0	0.0%	10	2.4%	29	4.2%
Jerash First Instance Court	532	13	3.5%	37	8.2%	1	1.1	4	3.0%	11	2.6%	66	12.4%
Maan First Instance Court	91	3	0.8%	3	0.7%	0	0.0	0	0.0%	2	0.5%	8	8.8%
Aqaba First Instance Court	163	3	0.8%	1	0.2%	0	0.0	4	3.0%	2	0.5%	10	6.1%
Madaba First Instance Court	129	1	0.3%	4	0.9%	4	4.5	1	0.8%	3	0.7%	13	10.1%
Tafilah First Instance Court	71	0	0.0%	0	0.0%	0	0.0	0	0.0%	0	0.0%	0	0.0%
Total	14119	372	100.0%	452	100.0%	88	100.0%	133	100.0%	424	100.0%	1469	10.4%

2.17 Performance Indicators for First Instance Courts in the Capacity of Courts of Appeal

First Instance Courts in their appeals capacity review Conciliation Court judgments which the Conciliation Courts Law stipulates must be appealed to First Instance Courts. Conciliation Court judgments of infraction cases are appealed to First Instance Courts, unless the judgment entailed a fine, which is considered final, as well as in other cases in which the sentence does not exceed one month imprisonment and a fine of (30) Jordanian dinars. Otherwise, Conciliation Court judgments are objected before the Court of Appeal.

The results shown in the table below show that the number of cases appealed to all First Instance Courts in their appeals capacity in 2011 amounted to 45,385 cases while the number of disposed cases reached

45,227 cases, registering a rate of case disposition from total filings of 99.7%. This means that First Instance Courts, in their appeals capacity, disposed nearly all of the cases that were filed. The percentage of cases disposed from the total number of new and pending cases amounted to 97.4%, meaning that only 2.6% of the cases were not disposed in 2011 and were carried over to 2012. Following are the main indicators of First Instance Courts for the year 2011 listed according to each court:

- **Irbid First Instance Court in the capacity of an Appeals Court:** This court ranks first in terms of the number of cases filed during the year which amounted to 8,645 cases, while the number of disposed cases amounted to 8,646 cases, at a case disposition rate from total filings of 100%, and a disposition rate from the total number of new and pending cases of 100%. This means that the court has no pending cases carried over for the following year.
- **Amman First Instance Court in the capacity of an Appeals Court:** This court ranked second in terms of the number of cases filed during the year which amounted to 8,328 cases, while the number of disposed cases amounted to 8,394 cases, at a case disposition rate from total filings of 100.8%, and a disposition rate from the total number of new and pending cases of 100%. This means that the court had no pending cases carried over to the following year.
- **Zarqa First Instance Court in the capacity of an Appeals Court:** This court ranked third in terms of the number of cases filed during the year which amounted to 6,387 cases, while the number of disposed cases amounted to 6,340 cases, at a case disposition rate from total filings of 99.6%, and a disposition rate from the total number of new and pending cases of 98.7%.
- **East Amman First Instance Court in the capacity of an Appeals Court:** This court ranked fourth in terms of the number of cases filed during the year which amounted to 3,573 cases, while the number of disposed cases amounted to 3,587 cases, at a case disposition rate from total filings of 100.4%, and a disposition rate from the total number of new and pending cases of 100%. This means that the court had no pending cases carried over to the following year.
- **North Amman First Instance Court in the capacity of an Appeals Court:** This court ranked fifth in terms of the number of cases filed during the year which amounted to 3,399 cases, while the number of disposed cases amounted to 3,356 cases, at a case disposition rate from total filings of 98.7%, and a disposition rate from the total number of new and pending cases of 96.9%.
- **South Amman First Instance Court in the capacity of an Appeals Court:** This court ranked sixth in terms of the number of cases filed during the year which amounted to 3,453 cases, while the number of disposed cases amounted to 3,571 cases, at a case disposition rate from total filings of 103.4%, and a disposition rate from the total number of new and pending cases of 98.1%.

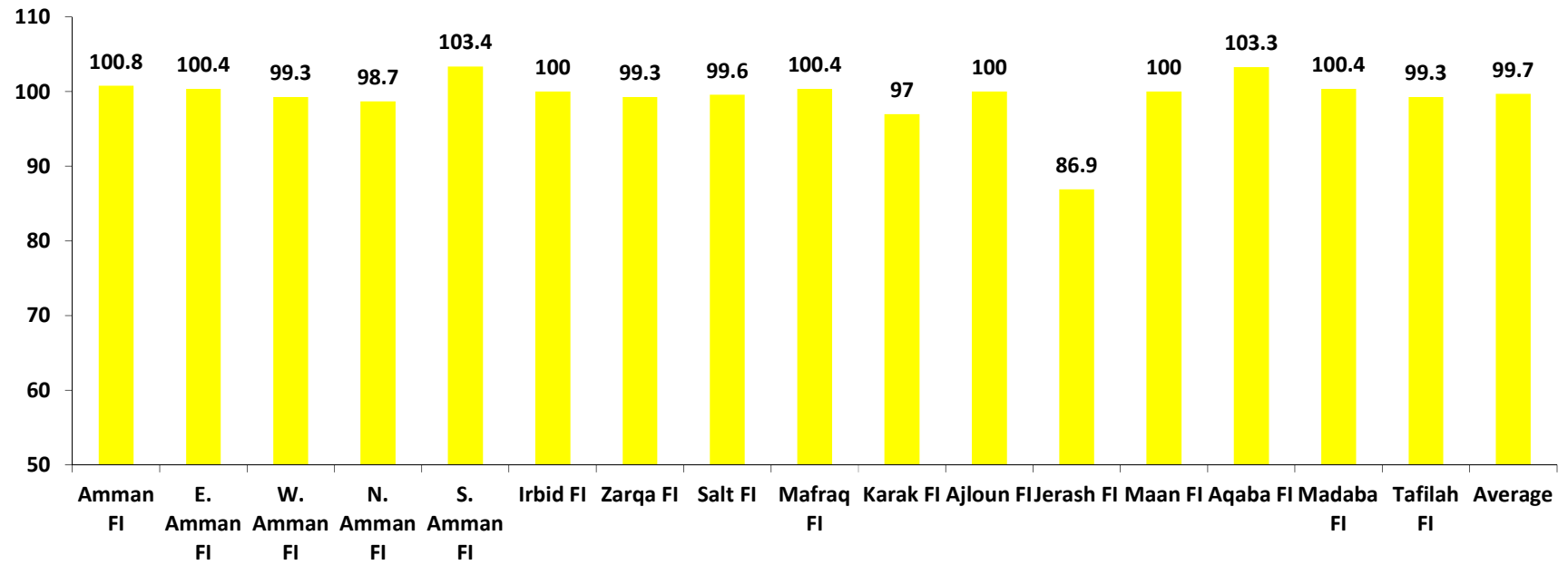
- **Karak First Instance Court in the capacity of an Appeals Court:** This court ranked seventh in terms of the number of cases filed during the year which amounted to 2,899 cases, while the number of disposed cases amounted 2,811 cases, at a case disposition rate from total filings of 97%, and a disposition rate from the total number of new and pending cases of 82.8%. Given that the number of cases disposed was not equivalent to the number of cases filed in 2011, the number of pending cases from the total number of filings will increase by 3% in 2012.
- **West Amman and Salt First Instance Courts in the capacity of Courts of Appeals:** These courts ranked eighth in terms of the number of cases filed during the year which amounted to 2,229 cases at each court, while the number of disposed cases amounted to 2,214 cases in West Amman and 2,219 cases in Salt. The case disposition rate from total filings amounted to 99.3% and 99.6% respectively. As for the rate of disposition from the total number of new and pending cases amounted to 98.3% and 99.2% respectively.
- **Jerash First Instance Court in the capacity of an Appeals Court:** This court ranked tenth in terms of the number of cases filed during the year which amounted to 1,339 cases, while the number of disposed cases amounted to 1,163 cases, at a case disposition rate from total filings of 86.9%, and a disposition rate from the total number of new and pending cases of 86.7%. Given that the number of cases disposed was not equivalent to the number of cases filed in 2011, the number of pending cases from the total number of filings will increase by 13.1% in 2012.
- **Other First Instance Courts in their capacity of Courts of Appeals:** The number of cases filed at the other First Instance Courts ranged between 857 cases as a maximum, as is the case in Madaba First Instance Court, and 131 cases at a minimum, as is the case in Maan First Instance Court. The number of disposed cases ranged between 860 and 131 cases as maximum and minimum levels at the same two courts. All courts disposed the equivalent of the new and pending cases and no case will be carried over to the next year.

2011 Performance Indicators of First Instance Courts in their Appeals Capacity

Court	No. of Pending	No. of New Cases	No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	% of Disposed Cases of Total No. of Pending + New Cases
Amman First Instance Court	84	8328	8394	8412	100.8	99.8
East Amman First Instance Court	79	3573	3587	3652	100.4	98.2

West Amman First Instance Court	23	2229	2214	2252	99.3	98.3
North Amman First Instance Court	65	3399	3356	3464	98.7	96.9
South Amman First Instance Court	189	3453	3571	3642	103.4	98.1
Irbid First Instance Court	10	8645	8646	8655	100.0	99.9
Zarqa First Instance Court	34	6387	6340	6421	99.3	98.7
Salt First Instance Court	8	2229	2219	2237	99.6	99.2
Mafraq First Instance Court	22	727	730	749	100.4	97.5
Karak First Instance Court	495	2899	2811	3394	97.0	82.8
Ajloun First Instance Court	0	519	519	519	100.0	100.0
Jerash First Instance Court	3	1339	1163	1342	86.9	86.7
Maan First Instance Court	0	131	131	131	100.0	100.0
Aqaba First Instance Court	20	522	539	542	103.3	99.4
Madaba First Instance Court	6	857	860	863	100.4	99.7
Tafilah First Instance Court	0	148	147	148	99.3	99.3
Total	1038	45385	45227	46423	99.7	97.4

Percentage of Cases Disposed from the Total Number of 2011 Filings



2.18 Performance Indicators for Conciliation Courts

Conciliation Courts are formed of a single judge and are scattered across the various governorates, provinces and districts of the Kingdom. They are established by a regulation issued by the Council of Ministers on the basis of Article (3 / a) of the Law on the Formation of Regular Courts No. (17) of 2001 that defines its geographic jurisdiction, and exercise the authority vested in it under the Conciliation Courts Law, or any law or regulation in force, and shall, in accordance with its law, have jurisdiction over the following:

1. Civil Cases: This pertains to trade cases related debt, movable or immovable assets, provided that the value of the claim disputed over does not exceed seven thousand dinars. It also presides over damage claims, provided that its value also does not exceed seven thousand dinars, as well as eviction cases, division of joint immovable property, regardless of its value among others. Conciliation courts also has subject matter jurisdiction over all labor cases pursuant to article 137/of Labor Law No. 8 of 1996.
2. Criminal cases: Conciliation courts have jurisdiction over all infraction cases, and perjury crimes arising in conciliation cases. They also have jurisdiction over misdemeanor cases with maximum penalty not exceeding two years, except for misdemeanors outlined in section one of chapter two of the Penal Code No. 16 of 1960, which are misdemeanors related to internal and external state security, in addition to misdemeanors specifically cited in other laws to fall within the jurisdiction of another court, other than conciliation courts.

a. Performance Indicators of All Conciliation Courts

There are 48 conciliation courts in the Kingdom distributed across different areas, three of which were established in 2011 in each of Al Wasatiyyeh, Busaira and Al Hasa. The following table lists the performance indicators of all Conciliation Courts from 2010–2011 as well as projected indicators for 2012. From the table the following can be deduced:

- Number of judges: The number of Conciliation judges in the Kingdom increased from 232 judges in 2010 to 242 judges in 2011 and it is assumed that the number of judges in 2012 will remain constant.
- New cases: The number of new cases across all Conciliation Courts over the past two years witnessed a downward trend, dropping from 241,700 cases in 2010 to 214,800 cases in 2011, a decrease of 11.1%. It is expected that the number of cases in 2012 will decrease to 190,000 if the percentage remains constant.
- Disposed cases: The number of disposed cases across all Conciliation Courts over the past two years witnessed a downward trend, dropping from 239,100 cases in 2010 to 218,000 cases in 2011, a decrease of 8.6%. It is expected that the number of disposed cases in 2012 will decrease to 190,000 if the percentage remains constant. It can be noted here that the percentage

decrease in the number of new filings was higher than the percentage decrease in the disposition of cases.

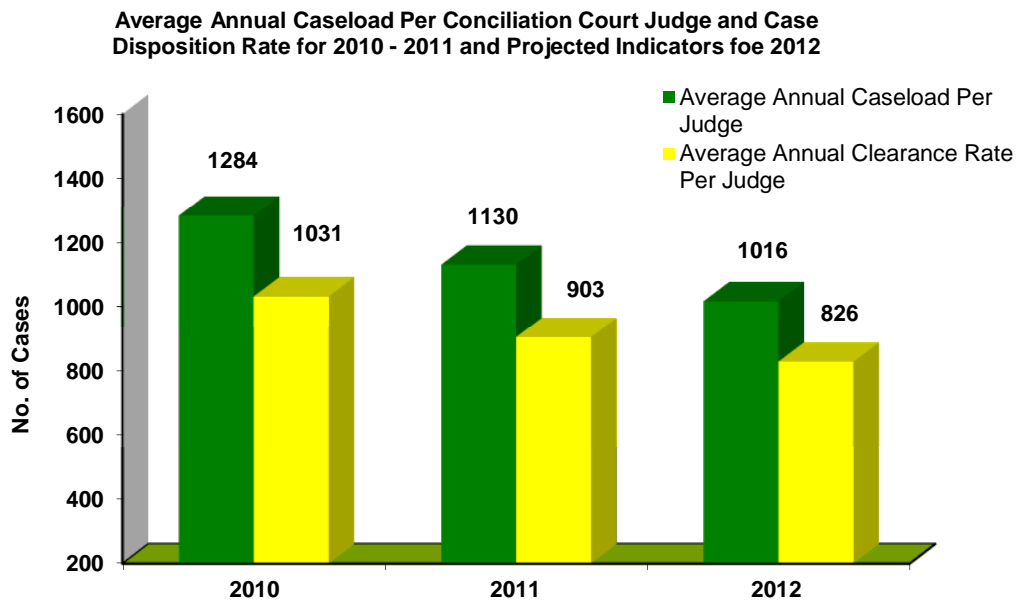
- Percentage of disposed cases from the total number new filings: In 2011, Conciliation judges disposed the equivalent of all cases filed at Conciliation Courts during the year and the equivalent of 2% of backlog cases. This led to a decrease in the number of pending cases carried over for the following year by the same percentage.
- Average annual caseload per judge: The average annual caseload per judge underwent a decrease from 1284 cases in 2010 to 1130 cases in 2011, a decrease of 12%. It is expected that the average caseload per judge in 2012 will drop to 1015 if the percentage remains constant. The drop in the average caseload per judge is primarily attributed to the decrease in the number of new filings and secondly to the increase in the number of Conciliation judges from 232 to 242 judges during the same period.
- Average annual rate of case disposition per judge: The average annual rate of case disposition per judge also witnessed a downward trend, dropping from 1031 cases in 2010 to 903 cases in 2011, a decrease of 12.4%. It is expected that the case disposition rate in 2012 will drop to 825 cases if the percentage remains constant. The decrease in the clearance rate per judge is attributed first to the drop in the caseload per judge, and second to the increase in the number of judges.

Conciliation Courts Performance Indicators for 2010 – 2011 and Projected Indicators for 2012

Indicator	2010	2011	2012
No. of Judges	232	242	242
No. of Pending Cases	56141	58899	55076
No. of New Cases	241729	214783	190841
No. of Disposed Cases	239117	218606	199854
Total No. of New and Pending Cases	297870	273682	245917
% of Disposed Cases of Total No. of New Cases	98.9%	101.8%	104.7%
Real Average Caseload Per Judge	1284	1131	1016
Clearance Rate (Performance Rate) Per Judge	1031	903	826
Disposed Cases /(New + Pending Cases)	80.3%	79.9%	81.3%
Average Monthly Caseload Per Judge	107	94	85

1. Percentage of decrease during two years (2010 as a base year and 2011) in the number of new cases; 2012 forecast is approximately 11.2%.

2. Percentage of decrease during two years (2010 as a base year and 2011) in the number of disposed cases; 2012 forecast is approximately 8.6%.



b. Performance Indicators of Conciliation Courts Classified According to Court

The percentage of new filings at Conciliation Courts witnessed a downward trend. Only six courts witnessed an increase in the number of new filings, while the remaining 42 courts witnessed varying rates of decrease in the number of new cases. The same applies to the percentage of change in the rate of case disposition across the different courts, as most courts over the past two years witnessed a drop in the rate of disposition; only 10 courts witnessed an increase:

The number of case filings in 2011 increased only in the following eight conciliation courts when compared to the number of filings in 2010.

- East Amman Conciliation Court/3.8%
- West Amman Conciliation Court/0.9%
- North Amman Conciliation Court/2%
- Jiza Conciliation Court/21.5%
- Jafer Conciliation Court/28.4%

- Fagou' Conciliation Court/8.3%
- Northern Badia Conciliation Court/18.3%
- Maan Conciliation Court/7.5%

The number of cases that were disposed in 2011 compared to 2010 was found to be higher at the following nine conciliation courts, which are the same courts that witnessed an increase in the number of case filings:

- East Amman Conciliation Court/6.1%
- West Amman Conciliation Court/2.6%
- North Amman Conciliation Court/6.3%
- Jiza Conciliation Court/230.8%
- Jafer Conciliation Court/30.2%
- Fagou' Conciliation Court/21.5%
- Northern Badia Conciliation Court/41.5%
- Maan Conciliation Court/4.5%
- Naour Conciliation Court/30.8%

The number of cases filed during the year at the rest of the courts decreased. The percentage of decrease ranged between a high of 35.4% at Azraq Conciliation Court, and 34.6% for both Tafilah and Qaser Conciliation Courts, and a low of 7.1% at Amman Conciliation and 0.7% and 1.8% at each of Karak and Quweira Conciliation Courts respectively.

Per Court Performance Indicators of Conciliation Courts from 2010 – 2011 and Projected Indicators for 2012

Court	Year	No. of Judges	No. of Pending	No. of New Cases	% change in the No. of New Cases	No. of Disposed Cases	% change in the No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases /(New + Pending Cases)	Average Monthly Caseload Per Judge
Amman Conciliation Court	2010	51	9100	43755		43356		52855	99.1%	1036	850	82.0%	86
	2011	49	9935	40585		40230		50520	99.1%	1031	821	79.6%	86
	2012	49	10290	37645	-7.2%	37329	-7.2%	47935	99.2%	978	762	77.9%	82
East Amman Conciliation Court	2010	11	3078	11864		12048		14942	101.6%	1358	1095	80.6%	113
	2011	13	2894	12315		12788		15209	103.8%	1170	984	84.1%	97
	2012	13	2421	12783	3.8%	13573	6.1%	15204	106.2%	1170	1044	89.3%	97
West Amman Conciliation Court	2010	13	2937	10599		10748		13536	101.4%	1041	827	79.4%	87
	2011	12	2735	10697		11031		13432	103.1%	1119	919	82.1%	93
	2012	12	2401	10796	0.9%	11321	2.6%	13197	104.9%	1100	943	85.8%	92
North Amman Conciliation Court	2010	17	4575	16737		16713		21312	99.9%	1254	983	78.4%	104
	2011	20	4618	17066		17767		21684	104.1%	1084	888	81.9%	90
	2012	20	3917	17401	2.0%	18887	6.3%	21318	108.5%	1066	944	88.6%	89
South Amman Conciliation	2010	12	3091	12966		13244		16057	102.1%	1338	1104	82.5%	112
	2011	12	2813	11140		11500		13953	103.2%	1163	958	82.4%	97

Court	Year	No. of Judges	No. of Pending	No. of New Cases	% change in the No. of New Cases	No. of Disposed Cases	% change in the No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases /(New + Pending Cases)	Average Monthly Caseload Per Judge
Court	2012	12	2453	9571	-14.1%	9986	-13.2%	12024	104.3%	1002	832	83.0%	84
Irbid Conciliation Court	2010	20	8008	29340		28608		37348	97.5%	1867	1430	76.6%	156
	2011	20	8741	24139		24030		32880	99.5%	1644	1202	73.1%	137
	2012	20	8850	19860	-17.7%	20185	-16.0%	28710	101.6%	1435	1009	70.3%	120
Zarqa Conciliation Court	2010	17	3876	21829		21780		25705	99.8%	1512	1281	84.7%	126
	2011	15	3925	18000		18458		21925	102.5%	1462	1231	84.2%	122
	2012	15	3467	14843	-17.5%	15643	-15.3%	18310	105.4%	1221	1043	85.4%	102
Salt Conciliation Court	2010	6	1276	4572		4410		5848	96.5%	975	735	75.4%	81
	2011	6	1430	4005		3981		5435	99.4%	906	664	73.2%	75
	2012	6	1454	3508	-12.4%	3594	-9.7%	4962	102.4%	827	599	72.4%	69
Mafraq Conciliation Court	2010	7	2153	8347		8211		10500	98.4%	1500	1173	78.2%	125
	2011	7	2290	6271		6551		8561	104.5%	1223	936	76.5%	102
	2012	7	2010	4711	-24.9%	5227	-20.2%	6721	110.9%	960	747	77.8%	80
Karak Conciliation Court	2010	5	1043	4433		4490		5476	101.3%	1095	898	82.0%	91
	2011	5	986	4353		4316		5339	99.2%	1068	863	80.8%	89
	2012	5	1023	4274	-1.8%	4149	-3.9%	5297	97.1%	1059	830	78.3%	88

Court	Year	No. of Judges	No. of Pending	No. of New Cases	% change in the No. of New Cases	No. of Disposed Cases	% change in the No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases /(New + Pending Cases)	Average Monthly Caseload Per Judge
Ajloun Conciliation Court	2010	5	1273	5438		5235		6711	96.3%	1342	1047	78.0%	112
	2011	5	1476	4638		4555		6114	98.2%	1223	911	74.5%	102
	2012	5	1559	3956	-14.7%	3963	-13.0%	5515	100.2%	1103	793	71.9%	92
Jerash Conciliation Court	2010	6	1443	6514		6446		7957	99.0%	1326	1074	81.0%	111
	2011	5	1511	6251		5599		7762	89.6%	1552	1120	72.1%	129
	2012	5	2163	5999	-4.0%	4863	-13.1%	8162	81.1%	1632	973	59.6%	136
Maan Conciliation Court	2010	3	380	2480		2590		2860	104.4%	953	863	90.6%	79
	2011	3	270	2666		2706		2936	101.5%	979	902	92.2%	82
	2012	3	230	2866	7.5%	2827	4.5%	3096	98.6%	1032	942	91.3%	86
Aqaba Conciliation Court	2010	4	1375	5668		5680		7043	100.2%	1761	1420	80.6%	147
	2011	4	1388	4879		5136		6267	105.3%	1567	1284	82.0%	131
	2012	4	1131	4200	-13.9%	4644	-9.6%	5331	110.6%	1333	1161	87.1%	111
Madaba Conciliation Court	2010	4	787	4502		4511		5289	100.2%	1322	1128	85.3%	110
	2011	4	778	3277		3439		4055	104.9%	1014	860	84.8%	84
	2012	4	616	2385	-27.2%	2622	-23.8%	3001	109.9%	750	655	87.4%	63
Tafilah	2010	4	346	2397		2385		2743	99.5%	686	596	86.9%	57

Court	Year	No. of Judges	No. of Pending	No. of New Cases	% change in the No. of New Cases	No. of Disposed Cases	% change in the No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases /(New + Pending Cases)	Average Monthly Caseload Per Judge
Conciliation Court	2011	4	358	1567		1733		1925	110.6%	481	433	90.0%	40
	2012	4	192	1024	-34.6%	1216	-27.3%	1216	118.8%	304	304	100%	25
Naour Conciliation Court	2010	2	442	1366		1083		1808	79.3%	904	542	59.9%	75
	2011	2	542	1179		1417		1721	120.2%	861	709	82.3%	72
	2012	2	304	1018	-13.7%	1322	30.8%	1322	129.9%	661	661	100.0%	55
Ruseifah Conciliation Court	2010	3	1816	8049		7836		9865	97.4%	3288	2612	79.4%	274
	2011	6	2029	6763		7119		8792	105.3%	1465	1187	81.0%	122
	2012	6	1673	5682	-16.0%	6468	-9.2%	7355	113.8%	1226	1078	87.9%	102
Thiban Conciliation Court	2010	1	121	553		579		674	104.7%	674	579	85.9%	56
	2011	1	95	370		376		465	101.6%	465	376	80.9%	39
	2012	1	89	248	-33.1%	244	-35.1%	337	98.6%	337	244	72.5%	28
Southern Mazar Conciliation Court	2010	2	472	2339		2167		2811	92.6%	1406	1084	77.1%	117
	2011	2	637	1594		1726		2231	108.3%	1116	863	77.4%	93
	2012	2	505	1086	-31.9%	1375	-20.4%	1591	126.6%	796	687	86.4%	66
Northern Mazar Conciliation	2010	1	164	597		578		761	96.8%	761	578	76.0%	63
	2011	1	183	526		558		709	106.1%	709	558	78.7%	59

Court	Year	No. of Judges	No. of Pending	No. of New Cases	% change in the No. of New Cases	No. of Disposed Cases	% change in the No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases /(New + Pending Cases)	Average Monthly Caseload Per Judge
Court	2012	1	151	463	-11.9%	539	-3.5%	614	116.2%	614	539	87.7%	51
Aye Conciliation Court	2010	1	52	159		169		211	106.3%	211	169	80.1%	18
	2011	1	42	149		161		191	108.1%	191	161	84.3%	16
	2012	1	30	140	-6.3%	153	-4.7%	170	109.8%	170	153	90.4%	14
Al Qaser Conciliation Court	2010	1	203	887		880		1090	99.2%	1090	880	80.7%	91
	2011	1	210	580		595		790	102.6%	790	595	75.3%	66
	2012	1	195	379	-34.6%	402	-32.4%	574	106.1%	574	402	70.1%	48
Ruweishid Conciliation Court	2010	1	4	172		167		176	97.1%	176	167	94.9%	15
	2011	1	8	160		149		168	93.1%	168	149	88.7%	14
	2012	1	19	149	-7.0%	133	-10.8%	168	89.3%	168	133	79.2%	14
Ein Al Basha Conciliation Court	2010	2	834	3699		3665		4533	%99.1	2267	1833	80.9%	189
	2011	4	875	3176		3358		4051	105.7%	1013	840	82.9%	84
	2012	4	693	2727	-14.1%	3077	-8.4%	3420	112.8%	855	769	90.0%	71
Deir Alla Conciliation Court	2010	1	640	2383		2438		3023	102.3%	3023	2438	80.6%	252
	2011	2	685	2040		2375		2725	116.4%	1363	1188	87.2%	114
	2012	2	350	1746	-14.4%	2314	-2.6%	2096	132.5%	1048	1157	100.0%	87

Court	Year	No. of Judges	No. of Pending	No. of New Cases	% change in the No. of New Cases	No. of Disposed Cases	% change in the No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases /(New + Pending Cases)	Average Monthly Caseload Per Judge
Southern Shouneh Conciliation Court	2010	2	250	1611		1548		1861	96.1%	931	774	83.2%	78
	2011	2	307	1378		1426		1685	103.5%	843	713	84.6%	70
	2012	2	259	1179	-14.5%	1314	-7.9%	1438	111.4%	719	657	91.4%	60
Sahab Conciliation Court	2010	3	968	3789		3827		4757	101.0%	1586	1276	80.4%	132
	2011	3	930	3522		3615		4452	102.6%	1484	1205	81.2%	124
	2012	3	837	3274	-7.0%	3415	-5.5%	4111	104.3%	1370	1138	83.1%	114
Al Jiza Conciliation Court	2010	2	308	1639		1653		1947	100.9%	974	827	84.9%	81
	2011	2	299	1991		1997		2290	100.3%	1145	999	87.2%	95
	2012	2	293	2419	21.5%	2413	20.8%	2712	99.8%	1356	1206	89.0%	113
Muwaqqar Conciliation Court	2010	1	310	998		933		1308	93.5%	1308	933	71.3%	109
	2011	1	373	727		924		1100	127.1%	1100	924	84.0%	92
	2012	1	176	530	-27.2%	915	-1.0%	706	172.8%	706	915	100.0%	59
Ghor Safi Conciliation Court	2010	1	238	1434		1397		1672	97.4%	1672	1397	83.6%	139
	2011	1	275	1065		1074		1340	100.8%	1340	1074	80.1%	112
	2012	1	266	791	-25.7%	826	-23.1%	1057	104.4%	1057	826	78.1%	88
Husseiniyeh	2010	1	13	277		267		290	96.4%	290	267	92.1%	24

Court	Year	No. of Judges	No. of Pending	No. of New Cases	% change in the No. of New Cases	No. of Disposed Cases	% change in the No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases /(New + Pending Cases)	Average Monthly Caseload Per Judge
Conciliation Court	2011	1	24	213		215		237	100.9%	237	215	90.7%	20
	2012	1	22	164	-23.1%	173	-19.5%	186	105.7%	186	173	93.2%	15
Shobak Conciliation Court	2010	1	32	220		223		252	101.4%	252	223	88.5%	21
	2011	1	29	178		166		207	93.3%	207	166	80.2%	17
	2012	1	41	144	-19.1%	124	-25.6%	185	85.8%	185	124	66.8%	15
Jafer Conciliation Court	2010	1	31	190		189		221	99.5%	221	189	85.5%	18
	2011	1	30	244		246		274	100.8%	274	246	89.8%	23
	2012	1	28	313	28.4%	320	30.2%	341	102.2%	341	320	93.8%	28
Petra Conciliation Court	2010	2	86	2749		2703		2835	98.3%	1418	1352	95.3%	118
	2011	2	131	1667		1630		1798	97.8%	899	815	90.7%	75
	2012	1	168	1011	-39.4%	983	-39.7%	1179	97.2%	1179	983	83.4%	98
Quweira Conciliation Court	2010	1	29	433		415		462	95.8%	462	415	89.8%	39
	2011	1	47	430		447		477	104.0%	477	447	93.7%	40
	2012	1	30	427	-0.7%	481	7.7%	457	112.8%	457	481	100.0%	38
Northern Ghor Conciliation Court	2010	3	594	2575		2452		3169	95.2%	1056	817	77.4%	88
	2011	3	615	1937		2103		2552	108.6%	851	701	82.4%	71
	2012	3	449	1457	-24.8%	1804	-14.2%	1906	123.8%	635	601	94.6%	53

Court	Year	No. of Judges	No. of Pending	No. of New Cases	% change in the No. of New Cases	No. of Disposed Cases	% change in the No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases /(New + Pending Cases)	Average Monthly Caseload Per Judge
Ramtha Conciliation Court	2010	3	1149	4602		4320		5751	93.9%	1917	1440	75.1%	160
	2011	5	1428	4102		3852		5530	93.9%	1106	770	69.7%	92
	2012	5	1678	3656	-10.9%	3435	-10.8%	5334	93.9%	1067	687	64.4%	89
Kura Conciliation Court	2010	2	635	2402		2339		3037	97.4%	1519	1170	77.0%	127
	2011	2	679	1758		1760		2437	100.1%	1219	880	72.2%	102
	2012	2	677	1287	-26.8%	1324	-24.8%	1964	102.9%	982	662	67.4%	82
Bani Kenana Conciliation Court	2010	2	621	1928		1715		2549	89.0%	1275	858	67.3%	106
	2011	2	831	1608		1888		2439	117.4%	1220	944	77.4%	102
	2012	2	551	1341	-16.6%	2078	10.1%	1892	155.0%	946	1039	100.0%	79
Bani Obeid Conciliation Court	2010	3	977	3032		3017		4009	99.5%	1336	1006	75.3%	111
	2011	3	948	2706		2905		3654	107.4%	1218	968	79.5%	102
	2012	3	749	2415	-10.8%	2797	-3.7%	3164	115.8%	1055	932	88.4%	88
Azraq Conciliation Court	2010	1	89	505		511		594	101.2%	594	511	86.0%	50
	2011	1	81	326		344		407	105.5%	407	344	84.5%	34
	2012	1	63	210	-35.4%	232	-32.7%	273	110.0%	273	232	84.7%	23
Tibah Conciliation Court	2010	1	169	742		746		911	100.5%	911	746	81.9%	76
	2011	1	165	561		582		726	103.7%	726	582	80.2%	61
	2012	1	144	424	-24.4%	454	-22.0%	568	107.0%	568	454	79.9%	47

Court	Year	No. of Judges	No. of Pending	No. of New Cases	% change in the No. of New Cases	No. of Disposed Cases	% change in the No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases /(New + Pending Cases)	Average Monthly Caseload Per Judge
Fagou' Conciliation Court	2010	1	48	302		288		350	95.4%	350	288	82.3%	29
	2011	1	54	327		350		381	107.0%	381	350	91.9%	32
	2012	1	31	354	8.3%	425	21.5%	385	120.1%	385	425	100.0%	32
Northern Badia Conciliation Court	2010	1	105	656		557		761	84.9%	761	557	73.2%	63
	2011	1	185	776		788		961	101.5%	961	788	82.0%	80
	2012	1	173	918	18.3%	1115	41.5%	1091	121.4%	1091	1115	100.0%	91
Wasatiyyeh Conciliation Court	2011	1	0	293		193		293	65.9%	293	193	65.9%	24
	2012	1	100	293	0.0%	293	0.0%	393	100.0%	393	293	74.6%	33
Busaira Conciliation Court	2011	1	0	378		254		378	67.2%	378	254	67.2%	32
	2012	1	124	378	0.0%	254	0.0%	502	67.2%	502	254	50.6%	42
Hasa Conciliation Court	2011	1	0	101		88		101	87.1%	101	88	87.1%	8
	2012	1	13	101	0.0%	88	0.0%	114	87.1%	114	88	77.2%	10
Total Conciliation Courts	2010	232	56141	241729		239117		297870	98.9%	1284	1031	80.3%	107
	2011	242	58885	214674		218501		273559	101.8%	1130	903	79.9%	94
	2012	242	55058	190647	-11.2%	199662	-8.6%	245705	%104.7	1015	825	81.3%	85

2.19 Performance Indicators for Civil Case Management Departments at First Instance Courts

Civil Case Management Departments at First Instance Courts are among the modern management techniques that aim at expediting litigation procedures, saving the time of the court and reducing the number of administrative and judicial procedures that delay case resolution, and which compel the subject matter judge to postpone hearings several times before concluding the case.

Civil case management is based upon the principle of placing early judicial control over cases and subjecting cases to the direct supervision of judges who oversee the monitoring of all case-related procedures. This includes the soundness of case filing and registration procedures, exchange of pleadings, notifications and completing the collection of evidences. This is followed by meeting the parties to the case, agreeing on points of agreement and disagreement, defining the core subject matter of the dispute, and submitting along with the hearing minutes to the subject matter judge who will handle the case.

The Case Management Department at the Amman First Instance Court officially started operation on 1/ 10/ 2002 with the aim of roiling it out to all First Instance Courts across the Kingdom pursuant to the repeated article 59 of the Civil Procedures Code and which states that “a judicial administration, called the civil case management department, shall be established at the First Instance Court. The Minister of Justice shall determine the courts in which such department shall be established.”

a. Performance Indicators of All Civil Case Management Departments at First Instance Courts

Civil case management departments were established at 13 of the 16 First Instance Courts in the Kingdom. The number of case management judges remained constant at 14 judges where one judge was assigned to each Civil Case Management Department, except for the department at the Amman First Instance Court where 2 judges were assigned. Results show that the number cases filed at Civil Case Management Departments tends to increase. In 2010 a total of 4,601 cases were registered at all Case Management Departments that increased by an average of 6.8% in 2011 to reach 4,914 cases. It is expected that in 2012 the number of new filings will increase to 5,248 cases if the percentage remains constant. Also, the number of disposed cases is witnessing an upward trend whereby in 2010 a total of 4,546 cases were disposed, increasing modestly by 2.9% in 2011 to reach 4,679 cases. The percentage of increase in new filings was higher that the increased disposition rate. This led to an increase in the number of pending cases by 9.8%. In addition, the following can be concluded from the indicators below:

- **Annual average caseload per judge:** The average annual caseload per judge is tending to increase, whereby it grew from approximately 417 cases per judge in 2010 to 448 cases in 2012, an increase rate of 7.4%. It is expected that the average annual caseload per judge will further increase to 502 cases in 2012 if the percentage remains constant. The increase is attributed to the rise in the number of case filings at courts while the number of judges remains constant.
- **Annual average case disposition rate per judge:** The rate of annual case disposition per judge also increased from 325 cases in 2010 to 334 cases in 2011, an increase of 2.7%. It is expected that in 2012 the annual disposition rate per judge will further increase to 335 cases if the percentage remains constant. The increase in disposition rate is attributed to the additional efforts exerted by judges in disposing cases in order to meet the increase in the number of case filings, while the number of judges during said period remained constant at 14 judges.
- **Percentage of disposed cases from the total number of pending cases:** Judges were unable to dispose of cases equivalent to the total number of filings by 98.8%. Clearance rates in 2011 amounted to 95.2%, which led to an increase in the pending of cases carried over to 2012.

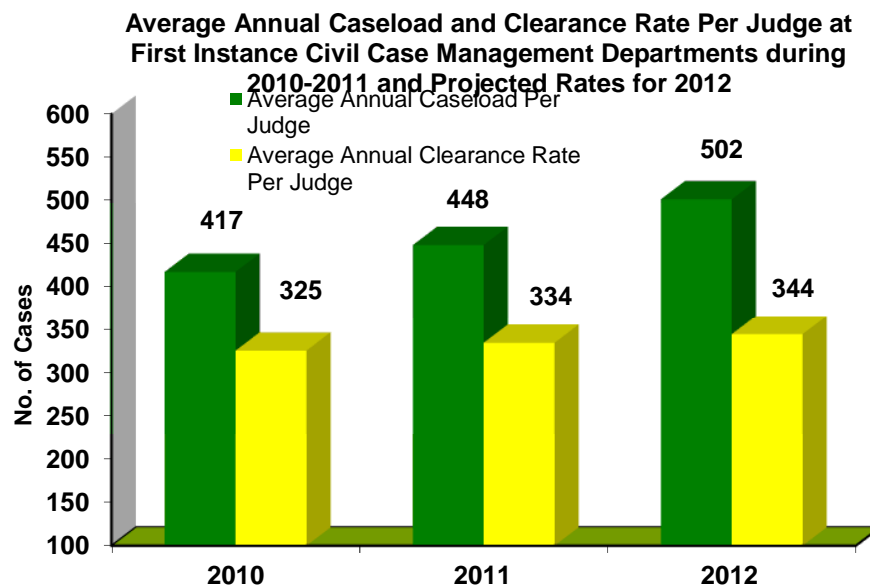
b. Performance Indicators of Each First Instance Civil Case Management Department

The table below shows the percentage of increase and decrease in the number of new and disposed cases in 2011 at Civil Case Management Departments compared to 2010 figures classified by court. The results show that the percentage of change in the number of new and disposed cases varied between one department and the other. Some witnessed and increase while other witnessed a decrease as follows:

- **New cases:** The Mediation Department at Mafrq First instance Court registered a significant increase in the number of new filings from 98 cases in 2010 to 218 cases in 2011, an increase of 122.4%. It is expected that in 2012 the number of cases will increase to 485 cases if the percentage remains constant. The Mediation Department at Madaba First Instance Court came second where it increased from 28 cases in 2010 to 49 cases in 2011 at a rate of 75%; it is expected to increase to 86 cases in 2012 if the percentage remains constant.
- There are other departments that registered different levels of increase in the number of new filings as follows: Amman First Instance Court Mediation Department (11.7%), North Amman First Instance Court Mediation Department (3%), East Amman First Instance Court Mediation Department (6.2%), West Amman First Instance Court Mediation Department (7.9%), Zarqa First Instance Court Mediation Department (10.1%), and Irbid First Instance Court Mediation Department (2.9%). It is expected that the number of new filings in 2012 will increase at the same rate if the percentages remain constant.
- The rest of the departments registered a decrease in the number of new filings at various rates as follows: South Amman First Instance Court Mediation Department (- 13.2%), Jerash First Instance Court Mediation Department (- 2.1%), Aqaba First Instance Court Mediation Department (- 16.8%), and Tafilah First Instance Court Mediation Department (- 13.6%).
- **Disposed cases:** More than half of the departments registered an increase in the number of disposed cases at varying percentages. These were the following seven departments: East Amman Mediation Department (8.1%), East Amman Mediation Department (5.4%), South Amman Mediation Department (25%), West Amman Mediation Department (10.5%), Zarqa Mediation Department (19.7%), Mafrq Mediation Department (80.2%), and the Madaba Mediation Department. As for the rest of the departments, they registered various levels of

declines as follows: Amman Mediation Department (- 0.8%), Jerash Mediation Department (- 11.1%), Ajloun Mediation Department (- 5.9%), Aqaba Mediation Department (- 28.2%), Tafilah Mediation Department (- 14%), and finally Irbid Mediation Department (- 8.6%).

- Average annual caseload per judge: The average annual caseload per judge increased at most of the Mediation Departments. Said rate dropped only at three departments while the rest witnessed an increase. The highest annual average caseload per judge was at the Amman Mediation Department where it reached 990 cases, followed directly by Irbid Mediation Department where it reached 839 cases and Ajloun Mediation Department where it amounted to 757 cases. The lowest caseload per judges was registered at the Aqaba Mediation Department (105 cases), Tafilah Mediation Department (44 cases) and Madaba Mediation Department (56 cases).
- Annual clearance rate per judge: The majority of civil case management departments, eight departments, witnessed an increase in the clearance rate per judge, whereby the same rate dropped in five departments. The highest clearance rate was registered at the Amman First Instance Court Mediation Department which reached 658 cases, followed directly by Ajloun First Instance Court Mediation Department and Irbid First Instance Court Mediation Department at a rate of 544 cases. The lowest clearance rate per judge was registered at Madaba First Instance Court Mediation Department at 46 cases, Tafilah First Instance Court Mediation Department at 37 cases and Aqaba First Instance Court Mediation Department at 74 cases.



Percentage Change (Increase/Decrease) in the Number of New and Disposed Cases at First Instance Civil Case Management Departments in 2011 Compared to 2010 as Base Year

Court	New Cases	Disposed Cases
Amman First Instance Court	+11.7%	-0.8%
North Amman First Instance Court	+3.0%	+8.1%
East Amman First Instance Court	+6.2%	+5.4%
South Amman First Instance Court	-13.2%	+0.25%
West Amman First Instance Court	+7.9%	+10.5%
Zarqa First Instance Court	+10%	+19.7%
Jerash First Instance Court	-2.1%	-11.1%
Ajloun First Instance Court	-2.5%	-5.9%
Mafraq First Instance Court	+122.4%	+80.2%
Aqaba First Instance Court	-16.8%	-28.2%
Tafilah First Instance Court	-13.6%	-14.0%
Irbid First Instance Court	+2.9%	-8.6%
Madaba First Instance Court	+75%	+17.9%
Total	+ 6.8%	+2.9%

Performance Indicators of Civil Case Management Departments at First Instance Courts for 2010 – 2011 and Projected Indicators for 2012
Classified According to Each Court

Court	Year	No. of Judge	No. of Pending Cases	No. of New Cases	No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Real Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases/(New+Pending Cases)	Average Monthly Caseload Per Judge
Amman First Instance Court	2010	2	432	1356	1325	1788	97.7%	894	663	74.1%	75
	2011	2	464	1515	1315	1979	86.8%	990	658	66.4%	82
	2012	2	664	1693	1305	2357	77.1%	1178	653	55.4%	98
North Amman First Instance Court	2010	1	130	506	481	636	95.1%	636	481	75.6%	53
	2011	1	155	521	520	676	99.8%	676	520	76.9%	56
	2012	1	156	536	562	692	104.8%	692	562	81.2%	58
East Amman First Instance Court	2010	1	16	146	147	162	100.7%	162	147	90.7%	14
	2011	1	15	155	155	170	100.0%	170	155	91.2%	14
	2012	1	15	165	163	180	99.3%	180	163	91.0%	15
South Amman First Instance Court	2010	1	58	296	244	354	82.4%	354	244	68.9%	30
	2011	1	105	257	305	362	118.7%	362	305	84.3%	30
	2012	1	57	223	280	280	125.6%	280	381	100%	23
West	2010	1	146	455	475	601	104.4%	601	475	79.0%	50

Court	Year	No. of Judge	No. of Pending Cases	No. of New Cases	No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Real Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases/(New+Pending Cases)	Average Monthly Caseload Per Judge
Amman First Instance Court	2011	1	191	491	525	682	106.9%	682	525	77.0%	57
	2012	1	157	530	580	687	109.5%	687	580	84.5%	57
Zarqa First Instance Court	2010	1	6	159	157	165	98.7%	165	157	95.2%	14
	2011	1	14	175	188	189	107.4%	189	188	99.5%	16
	2012	1	1	193	194	194	101.0%	194	225	100%	16
Jerash First Instance Court	2010	1	26	143	135	169	94.4%	169	135	79.9%	14
	2011	1	34	140	120	174	85.7%	174	120	69.0%	15
	2012	1	54	137	107	191	77.8%	191	107	55.8%	16
Ajloun First Instance Court	2010	1	168	648	691	816	106.6%	816	691	84.7%	68
	2011	1	125	632	650	757	102.8%	757	650	85.9%	63
	2012	1	107	616	611	723	99.2%	723	611	84.5%	60
Mafrq First Instance	2010	1	39	98	111	137	113.3%	137	111	81.0%	11
	2011	1	26	218	200	244	91.7%	244	200	82.0%	20

Court	Year	No. of Judge	No. of Pending Cases	No. of New Cases	No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Real Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases/(New+Pending Cases)	Average Monthly Caseload Per Judge
Court	2012	1	44	485	360	529	74.3%	529	360	68.1%	44
Aqaba First Instance Court	2010	1	23	101	103	124	102.0%	124	103	83.1%	10
	2011	1	21	84	74	105	88.1%	105	74	70.5%	9
	2012	1	31	70	53	101	76.1%	101	53	52.7%	8
Tafilah First Instance Court	2010	1	5	44	43	49	97.7%	49	43	87.8%	4
	2011	1	6	38	37	44	97.4%	44	37	84.1%	4
	2012	1	7	33	32	40	97.0%	40	32	80.0%	3
Irbid First Instance Court	2010	1	174	621	595	795	95.8%	795	595	74.8%	66
	2011	1	200	639	544	839	85.1%	839	544	64.8%	70
	2012	1	295	658	497	953	75.6%	953	497	52.2%	79
Madaba First Instance Court	2010	1	18	28	39	46	139.3%	46	39	84.8%	4
	2011	1	7	49	46	56	93.9%	56	46	82.1%	5
	2012	1	10	86	54	96	63.3%	96	54	56.7%	8
Total First	2010	14	1241	4601	4546	5842	98.8%	417	325	77.8%	35

Court	Year	No. of Judge	No. of Pending Cases	No. of New Cases	No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Real Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases/(New+Pending Cases)	Average Monthly Caseload Per Judge
Instance Courts	2011	14	1363	4914	4679	6277	95.2%	448	334	74.5%	37
	2012	14	1598	5248	4684	7022	91.8%	502	335	66.7%	42

2.20 Performance Indicators for Mediation Departments

Mediation is one of the alternative methods to resolving civil disputes which aims at reducing time, effort and expense. The first Mediation Department was officially opened on 1/ 1/ 2006 at the Amman First Instance Court, as an initial step towards establishing similar departments at the rest of the First Instance Courts of the Kingdom. This was done to put into practice Mediation Law No. 12 of 2006 for Resolution of Civil Disputes and which stipulated that, at the premises of each First Instance Court, a department called the “Mediation Department” shall be established and the Minister of Justice shall determine the First Instance Courts where such departments shall be established.

The principle of mediation can briefly be described as having a neutral person with expertise, competence and integrity employ his/her acquired negotiations management skills and carry out a set of closed proceedings to assist parties in conflict to bridge their views and settle their disputes amicably, based on consensus and compromise, outside court proceedings. This is carried out to reach reconciliation between the parties to the conflict away from complex and lengthy litigation proceedings.

In terms of types of mediation there is Judicial Mediation, Private Mediation and Consensus Mediation. Judicial mediation is conducted through First Instance and Conciliation Judges, called Mediation Judges, who are selected by the Chief Judge of the First Instance Court to carry out the mediation task. Private mediation is conducted by retired judges, lawyers, professionals and other specialists known for their objectivity and integrity who are named by the Chief Justice upon the recommendation of the Minister of Justice to serve as private mediators. Consensus Mediation is conducted by a mediator agreed upon by parties to the conflict. Certain terms related to mediation include:

1. Attendance of the parties to the conflict: In order to hold mediation sessions, it is imperative that the parties in conflict and their lawyers, as appropriate, attend the sessions. Alternatively, a person authorized by the parties to settle the conflict could attend without the presence of the legal parties.
2. Confidentiality: Mediation procedures and concessions made during mediation proceedings cannot be appealed before any court or any other body.
3. Mediation should be concluded within a period of three months from the date of referral of the case to mediation.
4. A Mediation Judge cannot preside over a case which he/she reviewed before in the capacity of a Mediation Judge and which might render proceedings as null.

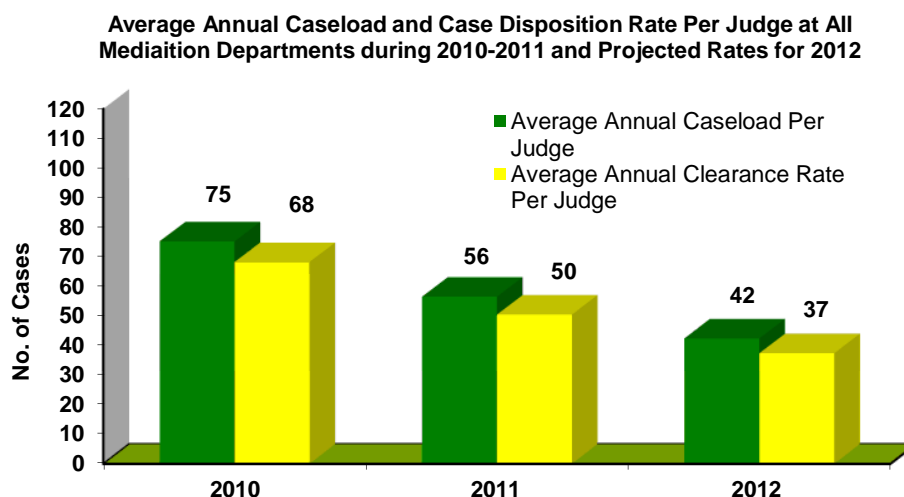
a. Performance Indicators of All Mediation Departments

Eight Mediation Departments were established in the Kingdom, seven of which are located in the central part of the country: Mediation Department at the Amman First Instance Court, Mediation Department at the North Amman First Instance Court, Mediation Department at the East Amman First Instance Court, Mediation Department at the West Amman First Instance Court, Mediation Department at the

South Amman First Instance Court, Mediation Department at the Zarqa First Instance Court, and Mediation Department at the Salt First Instance Court. One Mediation Department was established in the northern part of the country at the Irbid First Instance Court.

The results of all Mediation Departments show that there were 28 mediators in 2010 and 2011. The number of cases referred to all Mediation Departments dropped from 1,838 cases in 2010 to 1,357 cases in 2011, a drop of 26.2%. It is expected that in 2012 the number of cases will drop to 1,029 cases if the percentage remains constant. Following are the main observations:

- The annual caseload median is witnessing a downward trend; it dropped from 75 cases in 2010 to 56 cases in 2011, while the number of mediators remained constant. The decrease in the caseload per mediator is attributed to the decrease in the number of cases referred to Mediation Departments in the past two years.
- The annual clearance rate per mediator is also decreasing, whereby the average dropped from 68 cases to 50 cases during the same period and is expected to continue to drop in 2012 to reach 42 cases if the percentage remains constant.
- The equivalent to the number of new cases was disposed during the year in addition to 3% of cases that have been pending from previous years.



b. Performance Indicators of Mediation Departments at Each Court

The below table clearly shows that all Mediation Departments over the past two years witnessed a decrease in the number of case referrals and case disposition; this is expected to continue to decrease during 2012 if the percentage of decline remains constant.

The highest percentage of decrease was at the Salt First Instance Court Mediation Department which amounted to 53.8%, followed by East Amman First Instance Court Mediation Department (50%), Irbid First Instance Court (45.5%) and South Amman First Instance Court (27.9%). The lowest percentage of decline was at the North Amman First Instance Court Mediation Department which registered a decline of 10%.

Results show that the overall average of the annual caseload per judge across all Mediation Departments was 56 cases, while the average annual rate of case disposition was 50 cases. It can be noted that there are four departments at which the average case load and case disposition rate per judge was above the overall average which are as follows:

- Mediation Department – Amman First Instance Court: average caseload = 76 cases, average clearance rate = 67 cases.
- Mediation Department – North Amman First Instance Court: average caseload = 61 cases, average clearance rate = 60 cases.
- Mediation Department – South First Instance Court: average caseload = 65 cases, average clearance rate = 60 cases.
- Mediation Department – West Amman First Instance Court: average caseload = 61 cases, average clearance rate = 57 cases.

As for the other four departments, their median and clearance rate is below the general average; their results were as follows:

- Mediation Department – East Amman First Instance Court: average caseload = 29 cases, average clearance rate = 29 cases.
- Mediation Department – Zarqa First Instance Court: average caseload = 24 cases, average clearance rate = 22 cases.
- Mediation Department – Salt First Instance Court: average caseload = 3 cases, average clearance rate = 3 cases.
- Mediation Department – Irbid First Instance Court: average caseload = 2 cases, average clearance rate = 0 cases.

**Percent Change (Increase/Decrease) in the Number of New and Disposed Cases at First Instance
Mediation Departments in 2011 Compared to 2010 as Base Year**

Court	% Change in the No. of New Filings	% Change in the No. of Disposed Cases
Mediation Department – Amman First Instance Court	24.9% Decrease	25% Decrease
Mediation Department – North Amman First Instance Court	10% Decrease	5.4% Decrease
Mediation Department – East Amman First Instance Court	50% Decrease	49.1% Decrease
Mediation Department – South Amman First Instance Court	27.9% Decrease	35.5% Decrease
Mediation Department – West Amman First Instance Court	21.7% Decrease	17.4% Decrease
Mediation Department – Zarqa First Instance	17.4% Decrease	15.8% Increase
Mediation Department – Salt First Instance Court	53.8% Decrease	58.3% Decrease
Mediation Department – Irbid First Instance	45.5% Decrease	90.9% Decrease
Total – All Mediation Departments	26.2% Decrease	26.3% Decrease

Mediation Departments Performance Indicators for 2009 – 2011 and Projected Indicators for 2012

Court	Year	No. of Judge	No. of Pending Cases	No. of New Cases	No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases/(New + Pending Cases)	Average Monthly Caseload Per Judge
Mediation Department – Amman First Instance Court	2009	9	102	1274	1132	1376	88.9%	153	126	82.3%	13
	2010	17	243	1466	1518	1709	103.5%	101	89	88.8%	8
	2011	17	191	1101	1139	1292	103.5%	76	67	88.2%	6
	2012	17	153	827	855	980	103.4%	58	50	87.2%	5
Mediation Department – North Amman First Instance Court	2009	1	8	47	48	55	102.1%	55	48	87.3%	5
	2010	1	3	60	56	63	93.3%	63	56	88.9%	5
	2011	1	7	54	53	61	98.1%	61	53	86.9%	5
	2012	1	8	49	50	57	103.2%	57	50	88.6%	5
Mediation Department – East Amman First Instance Court	2009	2	1	46	41	47	89.1%	24	21	87.2%	2
	2010	2	6	110	114	116	103.6%	58	57	98.3%	5
	2011	2	3	55	58	58	105.5%	29	29	100.0%	2
	2012	2	2	28	30	30	107.3%	14	15	100.0%	1
Mediation	2009	1	4	53	47	57	88.7%	57	47	82.5%	5

Court	Year	No. of Judge	No. of Pending Cases	No. of New Cases	No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases/(New + Pending Cases)	Average Monthly Caseload Per Judge
Department – South Amman First Instance Court	2010	1	10	86	93	96	108.1%	96	93	96.9%	8
	2011	1	3	62	60	65	96.8%	65	60	92.3%	5
	2012	1	5	45	39	50	86.6%	50	39	77.9%	4
Mediation Department – West Amman First Instance Court	2009	1	13	97	105	110	108.2%	110	105	95.5%	9
	2010	1	7	69	69	76	100.0%	76	69	90.8%	6
	2011	1	7	54	57	61	105.6%	61	57	93.4%	5
	2012	1	4	42	47	46	111.4%	46	47	100%	4
Mediation Department – Zarqa First Instance Court	2009	1	1	32	32	33	100.0%	33	32	97.0%	3
	2010	1	1	23	19	24	82.6%	24	19	79.2%	2
	2011	1	5	19	22	24	115.8%	24	22	91.7%	2
	2012	1	2	16	25	18	162.3%	18	25	100%	1
Mediation Department – Salt First Instance Court	2009	0	0	0	0	0	0.0%	0	0	0.0%	0
	2010	2	0	13	12	13	92.3%	7	6	92.3%	1
	2011	2	0	6	5	6	83.3%	3	3	83.3%	0

Court	Year	No. of Judge	No. of Pending Cases	No. of New Cases	No. of Disposed Cases	No. of Pending + New Cases	% of Disposed Cases of Total No. of New Cases	Average Annual Caseload Per Judge	Clearance Rate (Performance Rate) Per Judge	Disposed Cases/(New + Pending Cases)	Average Monthly Caseload Per Judge
	2012	2	1	3	2	4	75.2%	2	1	55.3%	0
Mediation Department – Irbid First Instance Court	2009	0	0	0	0	0	0.0%	0	0	0.0%	0
	2010	3	0	11	11	11	100.0%	4	4	100.0%	0
	2011	3	0	6	1	6	16.7%	2	0	16.7%	0
	2012	3	5	3	1	8	30.6%	3	0	12.1%	0
Total – All Mediation Departments	2009	15	129	1549	1405	1678	90.7%	112	94	83.7%	9
	2010	28	270	1838	1892	2108	102.9%	75	68	89.8%	6
	2011	28	216	1357	1395	1573	102.8%	56	50	88.7%	5
	2012	28	178	1002	1029	1190	102.7%	42	37	86.5%	4

1. Percentage of decrease over a two year period (2010 as a base year and 2011) in the number of new cases; the forecast for 2012 is approximately 26.2%.
2. Percentage of increase over a two year period (2010 as a base year and 2011) in the number of disposed cases; the forecast for 2012 is approximately 26.3%.

2.21 Performance Indicators for Criminal Execution Departments of Public Prosecution Departments before First Instance Courts

The execution of civil and criminal judgments alike constitutes a superior form of justice. It should not be perceived as legal vengeance against a specific person, but rather as a means of social defense which protects public order and the interests of the state. It also achieves security for people and their property and helps the rehabilitation and readjustment of delinquent individuals in order to help in their reinclusion into their family, professional and social life. However, the execution of judgments issued by judicial bodies reflects the level of strength, presence and sovereignty of the state.

It is through the execution of criminal judgments that we can rule whether a state is a state of law and has a strong judicial system that guarantees the rights of all and that each convicted person receives punishment, not only through the issuance of judgments but also through their enforcement in practice and on the ground. The execution of criminal judgments is handled by the departments of First Instance Courts, which amount to 16 courts spread over the governorates and provinces of the Kingdom.

The issue of the execution of court judgments was given great importance in the 2012-2014 Judicial Authority Strategic Plan and devoted a main objective for this topic to ensure the speedy implementation of court judgments for disposed cases and the achievement of effective justice. The execution of judgments is a primary pillar of the rule of law and the attainment of effective and efficient justice; however, there are several reasons that impede the speedy execution of judgments. Many studies were conducted to determine the causes of delay and develop appropriate solutions.

Among the reasons for delay in enforcing court judgments relate to the execution law itself, and in some cases, to the leniency on the part of management in executing judgments. Reasons for delay also relate to shortcomings in the notifications system, and weak communication channels between execution departments and other relevant departments among others.

The Strategic Plan included a number of activities which will help speed up the execution of judgments and will not affect justice. Such activities include the preparation of a unified and standard procedures manual, increasing the number of support staff working at Execution Departments, and developing training programs for Execution Judges among others

a. Performance Indicators of All Execution Departments at First Instance Courts

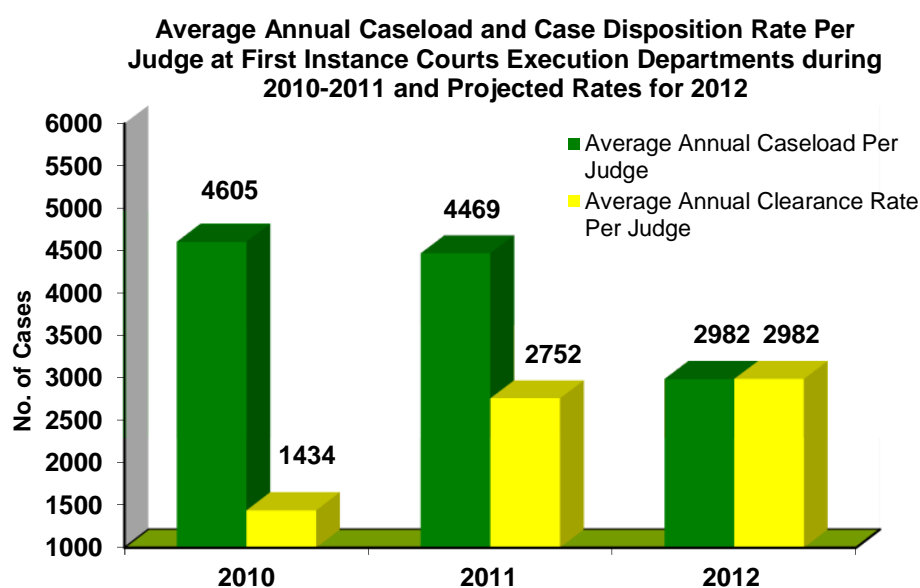
The table below shows that the number of cases filed at Execution Departments is slowly dropping. The number of case filings dropped from 70,900 cases in 2010 to 68,400 cases in 2011, a drop of 3.6%. It is expected that the number will further drop to 65,900 cases in 2012 if the percentage remains constant. In terms of case disposition, the number of disposed cases witnessed a significant increase from 75,600 cases in 2010 to 143,200 cases in 2011, registering an increase rate of 92%. It is expected that the number of disposed cases will further increase in 2012 to 275,000 cases. The substantial increase indicates a qualitative shift in the speedy execution of judgments without affecting the principles of efficient justice. In addition, the following can be deduced from the table:

- Annual average caseload per judge: The average annual caseload per judge is witnessing a downward trend as a result of the decrease in the number of filed cases and the constant number of judges. The average caseload per judge dropped from 4605 cases in 2010 to 4469 cases in 2011, at a rate of 3%. It is expected that the rate will drop to 2982 cases as a result of the significant projected decrease in the number of case filings in 2012 if the percentage remains constant and the number of judges does not change.
- Annual average case disposition rate per judge: Despite the decrease in the caseload per judge, the average rate of case disposition increased significantly from 1,434 cases in 2010 to 2,754 cases in 2011, an increase rate of 92%. This is because the increase rate in the number of disposed cases was at the same rate and the number of judges remained constant. It is expected that the average rate in 2012 will jump to 5,288 cases if the percentage remained constant, which means that there will be no pending cases by the end of 2012.

Performance Indicators for 2010 – 2011 and Projected Indicators for 2012 Related to Execution Cases at Public Prosecution Departments before First Instance Courts

Indicator	2010	2011	2012
No. of Judges	52	52	52
No. of Pending Cases	168525	164003	89167
No. of New Cases	70949	68365	65875
No. of Disposed Cases	74581	143201	155042
Total No. of New and Pending Cases	239474	232368	155042
% of Disposed Cases of Total No. of New Cases	105.1%	209.5%	235.4%
Real Average Caseload Per Judge	4605	4469	2982
Clearance Rate (Performance Rate) Per Judge	1434	2754	2982
Disposed Cases / (New + Pending Cases)	31.1%	61.6%	100%
Average Monthly Caseload Per Judge	384	372	248

1. Percentage of decrease over a two year period (2010 as a base year and 2011) in the number of new cases; the forecast for 2012 is approximately 3.6%.
2. Percentage of increase over a two year period (2010 as a base year and 2011) in the number of disposed cases; the forecast for 2012 is approximately 92%.



b. Performance Indicators of Execution Departments at First Instance Courts Classified According to Court

The next table shows the performance indicators pertinent to execution cases of Public Prosecution Departments at First Instance Courts during 2011. Results show that the highest rate of case filings was registered at the Amman Public Prosecution Department whereby the number of 2011 filings was 14,837 cases with their execution supervised by 11 judges , followed by Zarqa Public Prosecution Department whereby 10,481 cases were registered and 6 judges supervised their execution followed by East Amman Public Prosecution Department where 9,934 cases were filed and 3 judges supervised the execution of judgments. The lowest number of case filings was at Tafilah Public Prosecution Department which has one Execution Judge, followed by Maan Public Prosecution Department where the number of case filings amounted to 744 cases where two judges oversee the execution of cases, and Aqaba Public Prosecution Department with case filings of 745 cases handled by one judge.